

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

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PRASANNA SANKARANARAYANAN,	)	CV24-01745-RAJ
	)	
Petitioner,	)	SEATTLE, WASHINGTON
	)	
v.	)	January 8, 2025 -
	)	9:00 a.m.
DHIVYA SASHIDHAR,	)	
	)	
Respondent.	)	EVIDENTIARY HEARING -
	)	Day 3
	)	

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VERBATIM REPORT OF PROCEEDINGS  
BEFORE THE HONORABLE RICHARD A. JONES  
UNITED STATES DISTRICT JUDGE

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APPEARANCES:

For the Petitioner: Richard Min  
Michael Banuchis  
Green Kaminer Min & Rockmore LLP  
420 Lexington Avenue  
Suite 2821  
New York, NY 10170

For the Respondent: Katrina Anne Seipel  
Katelyn Skinner  
Buckley Law PC  
5300 Meadows Road  
Suite 200  
Lake Oswego, OR 97205

1	EXAMINATION INDEX		
2	EXAMINATION OF:		PAGE
3	DHIVYA SASHIDHAR	CONTINUED CROSS-EXAMINATION	3
4		BY MR. MIN	
5		REDIRECT EXAMINATION	72
6		BY MS. SEIPEL	
7		VOIR DIRE EXAMINATION	80
8		BY MR. MIN	
9		CONTINUED REDIRECT EXAMINATION	81
10		BY MS. SEIPEL	
11		RECROSS-EXAMINATION	93
12		BY MR. MIN	
13	PRASANNA	DIRECT EXAMINATION	95
14	SANKARANARAYANAN	BY MS. SKINNER	
15		CROSS-EXAMINATION	103
16		BY MR. MIN	
17		REDIRECT EXAMINATION	105
18		BY MS. SKINNER	
19	LONDON POPPLETON	DIRECT EXAMINATION	114
20		BY MS. SEIPEL	
21		CROSS-EXAMINATION	142
22		BY MR. MIN	
23	EXHIBIT INDEX		
24	EXHIBITS ADMITTED		PAGE
25		327, page 105	56
		327, page 47	92

1 THE COURT: Good morning. Please be seated.

2 THE CLERK: We are resuming our evidentiary hearing in  
3 the matter of Sankaranarayanan versus Sashidhar, Cause No.  
4 C24-1745, assigned to this Court.

5 THE COURT: I believe we were completing the  
6 cross-examination, so if you would return to the witness stand.  
7 Counsel, please continue cross-examination.

8 MR. MIN: Thank you, Your Honor.

9 DHIVYA SASHIDHAR,  
10 previously sworn, resumed and testified as follows:

11 THE COURT: You may inquire.

12 MR. MIN: Thank you Your Honor.

13 CONTINUED CROSS-EXAMINATION

14 BY MR. MIN:

15 Q Good morning.

16 Have you had a chance to look at the ASI order we left off  
17 with yesterday?

18 A Good morning.

19 Yes.

20 Q I'm going to pull it up on the screen. You would agree that  
21 this ASI order does not prohibit custody from being determined in  
22 Singapore, correct?

23 A Yes.

24 Q Although you testified that it did, correct?

25 A I mean, it says in the order that India will not interfere

1 with child custody matters, I guess. I don't know if that means  
2 that Singapore can determine custody. So I'm not sure how to  
3 interpret that.

4 Q Sure.

5 When you got the passport, the emergency passport, in  
6 October 2024, did you have to give a reason for why you needed  
7 that passport?

8 A Yes.

9 Q And was the reason because you had to travel to India?

10 A There were multiple reasons --

11 Q "Yes" or "No."

12 A One of them was because I got summonsed from the Indian  
13 court. I had to talk about it to the U.S. Embassy, yes.

14 Q Did you ever do that, travel to India for the court  
15 appearances?

16 A No. I was told I didn't have to.

17 Q I'm going to show you a page Bates stamped 2840. And this is  
18 from the ASI order. Petitioner's Exhibit 122 in evidence.

19 Who is V. Manohar?

20 A He is a lawyer that represents me in India.

21 Q Okay. I thought you said earlier you had no lawyer in India,  
22 in your testimony?

23 A No. I said I contacted a lawyer after I received the  
24 summons from India.

25 Q Okay. So you do have representation in India?

1 A For this particular anti-suit injunction case, yes.

2 Q Paragraph 24 -- if we can scroll down, Ms. McHale -- the  
3 Court asked your lawyer whether you would seek a continuance or  
4 adjournment in Washington. Do you see that?

5 A I see that, yes.

6 Q If we go to the next page, the first paragraph, the Court  
7 then said, quote, "This reluctance on the part of the first  
8 respondent indicates that the plea that this court should not  
9 deal with the injunction is merely a tactic to delay and secure  
10 an order before the American court." Do you see that?

11 A Yes.

12 Q And "first respondent" is referring to you, correct?

13 A Correct.

14 Q And the reluctance is the fact that your Indian lawyer would  
15 not agree to delay the Washington divorce, correct?

16 A I think he just said we need to discuss and get back. I  
17 don't think he refused.

18 Q Okay. If I go to Bates page No. 2857, paragraph 53, the  
19 court notes, quote, "At this stage, I take notice of the fact  
20 that the Courts in Singapore have invoked their jurisdiction  
21 vis-à-vis the child. Hence, it would not be appropriate for the  
22 Family Court in Chennai to exercise its jurisdiction over the  
23 child."

24 If we go to the next page, referring to the Hague Convention  
25 case going on, the fourth line up, "Noticing this difficulty,

1 Ms. Geeta Luthra submitted that the husband will not proceed with  
2 respect to any orders for interim custody or otherwise before the  
3 Courts in India." Do you see that?

4 A Yes.

5 Q And that was your husband's lawyers in the Indian  
6 proceedings, right?

7 A Yes.

8 Q Okay. Representing to the court that they are not proceeding  
9 with any custody claims in India and will be proceeding with  
10 custody issues in Singapore, correct?

11 A Yes.

12 Q Okay. If I go to Bates page number 2862, paragraph 61, the  
13 court says, quote, "At this stage, I have to refer to the typed  
14 set of papers filed by Mr. V. Manohar," end quote.

15 And, again, Mr. V. Manohar is your lawyer, right?

16 A Yes.

17 Q Going on, quote, "In an e-mail that has been addressed to the  
18 American Citizens Services at the U.S. Embassy at Singapore, the  
19 1st respondent pleaded that she requires a passport to be issued  
20 for the child XXX born to the couple as she needs to submit  
21 herself before the Courts in India," end quote.

22 Again, "1st respondent," referring to you, right?

23 A Yeah.

24 Q And there was an e-mail addressed to the American Citizen  
25 Services stating that you needed to submit yourself to the Courts

1 in India as a reason you needed an emergency passport, correct?

2 A Yeah.

3 Q If you go to Bates page number 2865, paragraph 66, the Court  
4 noted, quote, "As pointed out above, most of the evidences and  
5 witnesses are situated in Singapore and in India. The cost of  
6 producing these witnesses and evidences in United States would be  
7 prohibitive. The 1st respondent cannot create fortuitous  
8 circumstances and, thereafter, plead that the American Court has  
9 jurisdiction."

10 If you would go to Bates No. 2866 --

11 MS. SEIPEL: Objection. Mr. Min just read a paragraph.  
12 There was no question following it.

13 THE COURT: Is there a question, counsel, or just a  
14 statement?

15 MR. MIN: For that one, I will withdraw. There was  
16 going to be a question, but I'm going to move on to the next  
17 paragraph and we will ask a question.

18 THE COURT: Please continue.

19 Q (By Mr. Min:) If we go to Bates page number 2866,  
20 paragraph 67, second line, the Court says, quote, "On the verge  
21 of her departing from Singapore, the Singapore Court also granted  
22 an order restraining her from taking the child away from  
23 Singapore. She secured the passport in order to appear in this  
24 country. However, she utilized it to travel to United States."

25 Again, this is referring to you securing the passport,

1 correct? The "she" in this paragraph is referring to you,  
2 correct?

3 A Yes.

4 Q And if we go to Bates page number 2876, paragraph 85(i), the  
5 Court orders, quote, "The 1st respondent is restrained from  
6 proceeding further with the divorce proceedings initiated by her  
7 in United States of America (USA) or from initiating any  
8 proceeding in Singapore with respect to the marriage between the  
9 petitioner and the 1st respondent."

10 Do you see that? That was the anti-suit that the Court  
11 issued, right, from divorce proceedings going forward in the  
12 United States or Singapore, correct?

13 A Yes.

14 Q Okay. But, again, the Court noted that custody proceedings  
15 should go forward in Singapore, and that was what your husband's  
16 lawyer agreed to, that custody would be decided by the Singapore  
17 courts, correct?

18 MS. SEIPEL: Objection. Speculation.

19 THE COURT: That's sustained.

20 Q You sought an anti-suit injunction in the Washington courts,  
21 correct?

22 A Correct.

23 Q Trying to stop the divorce from proceeding in India, correct?

24 A Yes.

25 Q When did you do that?



1 A I think the date of the filing might be October 29th. I'd  
2 have to look up the dates for a precise answer on that.

3 Q Did you get an anti-suit injunction order from the Washington  
4 courts?

5 A Not yet.

6 Q You are still seeking one, though, correct?

7 A Yes. There have been no hearings and we're waiting for the  
8 petitioner to -- I mean, we're waiting for the respondent to  
9 respond to us.

10 Q In the fall of 2024, before you left for the United States on  
11 October 14th, you represented to your husband -- or withdrawn. I  
12 will rephrase.

13 Between September 1st, 2024, and October 13th, 2024, isn't it  
14 true that you represented that you would have remained in  
15 Singapore if your husband returned to Singapore and provided you  
16 with safe conditions?

17 A I mean, the situation --

18 Q "Yes" or "No."

19 A -- in which I was, I don't even remember like -- yeah, I sent  
20 him numerous e-mails asking if he was coming back. I've asked  
21 him for so many things. But, yeah, if this is specifically what  
22 I would have asked for and what I would have intended, I'm not  
23 sure.

24 Q Okay. I'm going to show you a document from your deposition  
25 transcript, Bates stamp 2606, page 20, starting on line 14:

1 Question: "So you did not tell him before  
2 October 12th that you were planning on going back to  
3 the United States on October 14th, correct?"

4 Answer: "I told him in multiple formats that I want  
5 to go back to the U.S. with my child if he did not  
6 respond back or if he did not show up in Singapore or  
7 if he did not provide safe conditions for us to live  
8 in. But the date October 14th was communicated to him  
9 after I booked the tickets and after I knew that I was  
10 actually" -- go to the next page -- "leaving on  
11 October 14th, yes."

12 Is that an accurate reading of the question you were  
13 asked and the answer you provided?

14 A Yes.

15 Q So your testimony is that you told him if you don't come back  
16 to Singapore and provide us safe conditions, then I want to go  
17 back to the U.S.?

18 A Or respond to me either, yeah.

19 Q And you had felt unsafe in Singapore; is that fair?

20 A Yes.

21 Q And you felt like you were short on money; is that fair?

22 A Yes.

23 Q That you couldn't afford to pay for things; is that fair?

24 A Yes.

25 Q You were concerned about the rent on the house, which is

1 about 20,000 Singapore dollars?

2 A Yes.

3 Q By the way, the anti-suit injunction we just looked at, they  
4 ordered your husband to pay you 30,000 Singapore dollars in  
5 maintenance, correct?

6 A Yes.

7 Q Okay. And they ordered him to pay you 30,000 Singapore  
8 dollars, correct, a month?

9 A Yes.

10 Q Okay. And how much is that approximately in U.S. dollars?

11 A I don't know. I'm sorry. I would have to calculate.

12 Q I mean, a range? Is it, you know, about 20-, 25,000 U.S.  
13 dollars, is it less?

14 A I do not know, sir. I'm sorry.

15 Q Okay. And your rent in your house -- and I apologize if  
16 you've already answered this -- in the Singapore house, 4 Astrid  
17 Hill, was about 20,000 Singapore dollars per month, correct?

18 THE COURT: Counsel, counsel, slow down, please. Repeat  
19 the question.

20 Q The rent on the 4 Astrid Hill home was approximately 20,000  
21 Singapore dollars a month in rent?

22 A Correct.

23 Q And you were concerned because you couldn't afford that rent,  
24 correct?

25 A Correct.

1 Q And you wrote to him, your husband, asking whether he was  
2 going to pay for the rent?

3 A Yes.

4 Q So would it be fair to say that if you had funds, if you had  
5 safe living conditions, that you would have been perfectly happy  
6 continuing to live in Singapore?

7 A No.

8 Q Would it be fair to say that you would have continued living  
9 in Singapore if you had access to funds and felt safe?

10 A Depending on what's right for my child and what we agree with  
11 my husband.

12 Q You said that what you wanted was to be able to have money to  
13 afford living in a place, spend on food, without wondering  
14 whether the credit card will be blocked the next time you have to  
15 shop for groceries; is that fair?

16 A Yes.

17 Q We're going to pull up a document, Exhibit -- Respondent's  
18 Exhibit 308, admitted into evidence. This is an e-mail you sent  
19 to your husband upon arriving in Washington, correct?

20 A Correct.

21 Q You talked about waiting for your husband in Singapore,  
22 correct?

23 A Wait. I don't know which line you are reading that from, but  
24 I just want to ...

25 Q I'm not reading, but I'm paraphrasing. But the last sentence

1 of the first paragraph, starting "How long can we wait for you?  
2 It's been more than 1.5 months."

3 A Yes, I have said that.

4 Q In the second sentence -- or the second line, "There was no  
5 way for us to continue living in Singapore without any funds in  
6 my bank account." Do you see that?

7 A Yes.

8 Q That was one of your concerns?

9 A Yes.

10 Q Okay. And then you also say, "As well as the fear of when  
11 you will revoke our DPs"?

12 A Yes.

13 Q Okay. That was one of your concerns?

14 A Yes.

15 Q And then in the next paragraph, you invited him to call you  
16 on your Singapore number at any time and talk to A [REDACTED], correct?

17 A Yes.

18 Q Okay. Was this before or after you got a protective order  
19 against him in Washington preventing him from talking to your  
20 son?

21 A Before.

22 Q That was before. Okay.

23 So at this time, you were fine with him speaking to your son  
24 whenever he wanted, but sometime thereafter, when you left to the  
25 United States to feel safer, you felt it appropriate to cut off

1 contact between your son and him?

2 MS. SEIPEL: Objection. Argumentative.

3 THE COURT: It's overruled.

4 A I did not want to cut off contact between him and the child,  
5 but I wanted him to have, like, a safe conversation with my child  
6 without manipulating or intimidating my child or asking him to  
7 get me to withdraw my cases and things like that. My child  
8 shouldn't be brought in the midst of all of this.

9 Q In the next paragraph, you say, "A.S. and I are happy and  
10 feeling a lot more secure financially and mentally here in the  
11 U.S." Do you see that?

12 A Yes.

13 Q So one of the things you were looking for in Singapore was  
14 financial security, fair?

15 A Correct.

16 Q You have bank accounts in Singapore, correct?

17 A Correct, one account.

18 Q You're CEO of a company in India, correct?

19 A Correct.

20 Q And that company generates how much in revenue a year?

21 MS. SEIPEL: Objection. Relevance.

22 THE COURT: Sustained.

23 Q You earn a salary from that company, correct?

24 A No.

25 Q Zero?

1 A Zero.

2 Q Have you ever filed taxes in India?

3 A No.

4 Q You have U.S. bank accounts, correct?

5 A Correct.

6 Q Okay. And you had over \$100,000 in a U.S. bank account,  
7 correct? "Yes" or "No."

8 A In one single account, no.

9 Q Over several accounts?

10 A Yes.

11 Q In your name?

12 A Yes.

13 Q Okay. At no point after August 31st, 2024, did you receive  
14 notice that the rent on your home at 4 Astrid Hill was not being  
15 paid, correct?

16 A So you are asking if I was ever notified if the rent was not  
17 paid?

18 Q Yes.

19 A That's correct.

20 Q Okay. You had no reason to believe -- withdrawn.

21 At any point after August 31st, before you left on  
22 October 14th, did you get any notification that any bills  
23 associated with that home were not being paid?

24 A Yes.

25 Q What?

1 A Like the pool-maintenance person asked me why the bill was  
2 not paid. I sent it to Prasanna in e-mail. He didn't respond to  
3 my e-mail. And, also, the rent payment was coming up on  
4 October 18th, and I asked Prasanna if he's going to pay the rent.  
5 He didn't respond to me. So I was -- yeah, I was really scared  
6 whether these things were going to be paid or not.

7 Q But you don't know whether the rent was paid on October 18th?

8 A I don't know that.

9 Q Okay. And you left before that happened?

10 A Correct.

11 Q Okay. And the pool-maintenance cleaner, you sent that  
12 invoice to your husband is your testimony?

13 A Yes, on e-mail.

14 Q And do you know if that invoice is paid?

15 A I don't know.

16 Q So you left for the United States to feel more financially  
17 secure, correct?

18 A Correct.

19 Q When you arrived in the United States, you stayed at a  
20 friend's house, correct?

21 A Correct.

22 Q About a week?

23 A Yeah. Maybe less than that.

24 Q Okay. And you leased a home, correct?

25 A Correct.



1 Q How much are you paying for that home?

2 A \$1,805 a month.

3 Q Okay. Now, this is money that's coming from your savings,  
4 correct?

5 A Correct.

6 Q This is an expense that you did not have in Singapore,  
7 correct, this lease on the Washington home?

8 A Can you clarify that question?

9 Q Well, meaning, in Singapore, you were not paying for an  
10 apartment in Washington, correct?

11 A Correct.

12 Q Okay. Meaning that in Washington, when you arrived, you now  
13 had eight -- what was it, 1,800?

14 A Yeah.

15 Q Okay.

16 -- \$1,800 a month in increased expenses, correct?

17 A I mean, yeah, that's my rent in Washington. I don't know how  
18 to interpret that question. But is it over the expense in  
19 Singapore? How do you -- I mean, I don't know how to interpret  
20 that question. Like, Prasanna is paying for everything in  
21 Singapore. So what I'm paying here is -- yeah.

22 Q You asked your husband for money between September 1st and  
23 October 13th, correct?

24 A Yes.

25 Q And you asked him for money after you arrived in the U.S.,

1 correct?

2 A No.

3 Q No?

4 You filed maintenance applications in Singapore courts,  
5 correct?

6 A Correct.

7 Q In Washington?

8 A I don't know if we've already filed, but I think  
9 everything -- all the cases were stayed recently, so I just have  
10 to look back and refer to what my lawyers filed or not filed yet.

11 Q Okay. Before you left for the United States, your child had  
12 a driver, correct?

13 A Not in the last few weeks.

14 Q Okay. But up until late September, he had a driver?

15 A I don't know until what date, but there was a driver that  
16 dropped him at school and brought him back from school, just for  
17 that one thing.

18 Q And you terminated this driver, as you testified, because of  
19 what you believed were inappropriate discussions between your  
20 husband and your child, right?

21 A Terminated the driver. Concern for the safety of my child,  
22 not because of the conversations itself.

23 Q Okay. But before you terminated this driver, your husband  
24 was paying the driver's expenses, right, or bills?

25 A I do not know that.

1 Q But you never received notice that he was not being paid,  
2 correct?

3 A I mean, the driver sent some things on a WhatsApp chat asking  
4 to be paid, and then he didn't follow up on it.

5 Q You had a helper in the home?

6 A Yes.

7 Q Okay. Did you ever receive notice that she was not being  
8 paid?

9 A She's a new helper, so for the first month, she didn't have  
10 to be paid. But after that, she asked me to be paid, and I paid  
11 her from the bank account that I had, yes.

12 Q The bank account where?

13 A In Singapore.

14 Q How much did you have in that bank account?

15 A I mean, at what date? This is a question that -- how do I  
16 answer this question?

17 Q Sure.

18 In September 2024, how much did you have?

19 A Probably like 3,000, 4,000 dollars in the bank account.

20 Q October?

21 A By October, maybe like 1,500, 2,000 dollars in the bank  
22 account.

23 Q Were you using any credit cards when you were in Singapore?

24 A Yes.

25 Q Whose?

1 A I mean, there is a joint credit card from the U.S. bank  
2 account, joint bank account, that me and Prasanna hold. I was  
3 using that and also -- I mean, that's the only credit card that I  
4 was using.

5 Q How much did you ask the Singapore courts for in financial  
6 maintenance?

7 A I think they asked me this question two times. So one was  
8 either like 20,000 or 30,000 dollars, factoring in that rent  
9 itself was \$20,000 in the Singapore house.

10 Q At some point did you ask for 40,000?

11 A I don't remember asking for 40,000. Maybe they added the  
12 child's expenses along. I'm not sure of this.

13 Q I'm going to show you a document, Petitioner's Exhibit 105,  
14 page 2, paragraph 5. Is this you asking the Singapore courts to  
15 order your husband to pay 40,000 per month commencing in  
16 October 2024?

17 A No.

18 Can I see the top of the filing? I don't know which country  
19 this filing is coming from.

20 Q Apologies. I will withdraw, actually. Apologies. I will  
21 withdraw the question.

22 Did you ask for \$40,000 a month in the Washington courts for  
23 maintenance?

24 A Yeah.

25 Q And you asked for 20- or 30,000 Singapore dollars in the

1 Singapore courts for maintenance?

2 A Yeah.

3 Q Okay. So you asked for more money in the U.S. courts for  
4 maintenance than you did in the Singapore courts; is that fair?

5 A Yeah, because of the legal expenses that I'm having here.

6 Q You submitted an application for a personal protective order  
7 in Singapore, correct?

8 A Correct.

9 Q This was in late September 2024, correct?

10 A Yeah. It was -- I tried to file it early in September, but,  
11 I mean, yeah, late September is when it got filed.

12 Q And then you sought to withdraw these applications, correct?

13 A Correct.

14 Q Why did you want to withdraw these applications?

15 A Because I had moved to the U.S., and, yeah, I couldn't really  
16 show up in person for hearings in Singapore. And it didn't  
17 make -- I don't know what's -- how -- what it would mean to have  
18 a protective order in Singapore while I was living in the U.S.  
19 So I just withdraw the applications there.

20 Q Okay. When did you file for a protective order in  
21 Washington?

22 A October 21st.

23 Q October 21st.

24 The court in Singapore granted your application to withdraw  
25 your maintenance and personal protective order applications,

1 correct?

2 A Yes.

3 Q And pending still is your custody application in Singapore,  
4 correct?

5 A I wanted to withdraw that as well, but, yeah, the court  
6 refused to let me withdraw it.

7 Q Okay. And also pending is your husband's cross-application  
8 for custody in Singapore?

9 A I think so, yeah.

10 Q Would you agree that there is nothing preventing you from  
11 returning to Singapore with your child at this time?

12 A I mean, like what do I do without any money in Singapore or  
13 the ability to work and earn --

14 THE COURT REPORTER: I'm sorry, ma'am. You need to say  
15 that again.

16 A Sorry.

17 I said, what do I do without any ability or -- I mean, to  
18 earn and, you know, support my life or my child's life in  
19 Singapore, like, and not have money in Singapore?

20 So, I mean, money is one concern, but, also, I don't know, I  
21 feel definitely, like, the safety aspects, there's a lot of -- I  
22 mean, so, really, honestly, it also feels like just revisiting a  
23 lot of trauma for me, thinking of going back to Singapore. And  
24 it feels like I live, like, a captive life or something. I don't  
25 know. Just emotionally, I feel really -- yeah.

1 Q Okay. But you asked for 20- or \$30,000 in maintenance for  
2 you and your family and your child. The Indian courts ordered  
3 30,000 Singapore dollars to be paid to you monthly for  
4 maintenance, correct?

5 A I did not ask for anything in the Indian court, and that  
6 Indian court order has a lot of factual errors also in it,  
7 including like the dates of filings and things like that. So I'm  
8 not sure I entirely agree with what the Indian court has ordered,  
9 even though they're giving me money. I mean --

10 Q My question was, you had asked the Singapore courts for 20-  
11 or 30,000 Singapore dollars per month in maintenance, correct?

12 A When I lived in Singapore, yes.

13 Q Yes.

14 And the Indian courts have ordered that your husband pay you  
15 30,000 Singapore dollars monthly in maintenance, correct? "Yes"  
16 or "No."

17 A Yes.

18 Q Okay. And you just testified that your husband deposited  
19 \$100,000 into your Singapore bank account?

20 A I mean, the Indian court ordered that on December 20th. He  
21 deposited that money, I think, just before the start of this  
22 trial, like he didn't -- so, yeah. But, yes, I did check in the  
23 bank account and there was a \$100,000-odd deposit.

24 Q The Indian court ordered, as you said, late December the  
25 maintenance payments, correct?

1 A Yes.

2 Q And they ordered that 30,000 shall be paid by the 5th of  
3 every calendar month, correct?

4 A Yes.

5 Q Okay. And so the first calendar month for that to apply was  
6 January 5th, correct? "Yes" or "No."

7 A No.

8 Q I will pull up the Indian ASI.

9 THE COURT: The exhibit number, counsel?

10 MR. MIN: Petitioner's Exhibit 122.

11 Q And if we go to paragraph 85(ii), right, he's to pay you  
12 30,000 Singapore dollars per month. Now, the liability for this  
13 commences in September, right?

14 A Yes.

15 Q But if we go to the next page, the maintenance shall be paid  
16 on or before the 5th of every calendar month, right?

17 So this order was issued in late December, and by, I guess  
18 from what you testified, I think you said Monday, so January 6th,  
19 he deposited 100,000 or so into your Singapore accounts, right?

20 A Yeah, but he was liable to pay that since September. So, I  
21 mean, why is it construed that he has to pay only on January 5th?

22 Q So the order issued in late December ordering him to pay by  
23 the 5th of January. Going back to September, when he started  
24 owing you that money, he has paid you, essentially, how much he's  
25 owed you, 30,000 Singapore dollars, from September until



1 January --

2 MS. SEIPEL: Objection --

3 Q -- on Monday, correct?

4 MS. SEIPEL: -- compound, confusing question. Calls for  
5 a legal conclusion.

6 THE COURT: It's overruled.

7 A He -- I mean, can we do a calculation like September,  
8 October, now we're in December, four months of \$30,000, I think  
9 that's \$120,000, but what he paid me in my account was much less  
10 than that. And so did he meet with what the Court has asked him  
11 to pay? I mean, I don't know. And I -- yeah, honestly, like, it  
12 doesn't -- yeah. So you can answer the question -- or what do I  
13 say, like he was supposed to pay me about 150 grand and he's paid  
14 me 100,000 into the Singapore bank account.

15 Q I thought we said it was 120-?

16 A I calculated for four months. I did not calculate January.  
17 So if you take January into account, that's five months, right?

18 Q So how much did you exactly receive on Monday?

19 A I'd have to look up my bank account for that. But I remember  
20 that it was \$100,000 plus or minus a few more thousands.

21 Q This is your Singapore bank?

22 A Yes, sir.

23 Q Okay. And he had also transferred money, previously to this  
24 Monday, into your Singapore bank account, correct?

25 A Can you restate that question? He had also previously

1 transferred money?

2 Q Your husband, in addition to the hundred thousand that was  
3 paid to you recently, had transferred additional sums to you  
4 before that into your Singapore bank account, correct?

5 A Correct. I think he transferred \$5,000 into the Singapore  
6 bank account before the \$100,000.

7 Q One payment of 5,000 is your testimony?

8 A I think I just want to look back. Like, I'm not using that  
9 account right now, so I don't really have much access to it  
10 either.

11 Q Okay. But you are able to view it online?

12 A Correct.

13 Q Are you able to access its funds?

14 A Not really. I'm trying to, but it's a hard route.

15 Q What do you mean by "not really"?

16 A I mean, the bank wants me to send some signatures or come in  
17 person and sign with them to be able to withdraw money out of  
18 that to another -- I don't know, to the U.S., for example. So  
19 it's ...

20 Q But if you were in Singapore, you would be able to access  
21 those funds?

22 A I believe so.

23 Q You agree that your husband is contesting jurisdiction of  
24 Washington to proceed with the divorce, correct?

25 A I think so, yes.

1 Q He's contesting jurisdiction in Washington for any of the  
2 legal actions, aside from this Hague Convention case; is that  
3 fair?

4 A I mean, I'm not a lawyer, sir, so I don't exactly know how to  
5 answer that question.

6 Q Have you ever told your mother that you wanted to strangle  
7 your husband? "Yes" or "No." "Yes" or "No."

8 A I don't remember.

9 Q You don't remember.

10 Have you ever told him that you wanted to kill him -- told  
11 your mother that you wanted to kill your husband? "Yes" or "No."

12 A I don't remember.

13 Q Okay. Is there something that might help you refresh your  
14 recollection, like a recording?

15 A Sure.

16 MR. MIN: Your Honor, can I just approach the witness  
17 and have her listen to the recording?

18 MS. SEIPEL: I'm going to object to this. I don't know  
19 what recording we're talking about, I don't know if I have heard  
20 it, and I'm also objecting on relevance grounds.

21 THE COURT: Counsel, clarify.

22 MR. MIN: Your Honor, I do think it's relevant because  
23 the witness is bringing up incredible marital discord and  
24 accusing the father of threats and specific verbal assaults or  
25 abuses, and I do think that her behavior is important, and her

1 words matter as much as his words matter.

2 THE COURT: How does this go to establishing habitual  
3 residence of the child?

4 MR. MIN: Well, no, this part does not go to habitual  
5 residence. It goes to the affirmative defenses, Your Honor.

6 THE COURT: All right. Has counsel for the respondent  
7 had the opportunity to listen to this tape in advance of this  
8 proceeding?

9 MR. MIN: No. This is simply to refresh recollection,  
10 Your Honor. It's not in evidence or offered in evidence.

11 THE COURT: All right. The objection is overruled.

12 Are you playing the tape, just for the benefit of the  
13 witness --

14 MR. MIN: Yes.

15 THE COURT: -- or for the Court?

16 MR. MIN: Just for the benefit of the witness, Your  
17 Honor.

18 THE COURT: All right.

19 MR. MIN: Just to refresh her recollection.

20 THE COURT: All right.

21 And, counsel, this will not be recorded, if it's used to  
22 refresh her recollection.

23 MR. MIN: Of course. And we're not planning on it.  
24 Just to refresh recollection.

25 THE COURT: Okay.

1 MR. MIN: I mean, my plan is to just put it there and  
2 let her listen to it, and I will ask her an additional question.

3 THE COURT: And you say for "her to listen." She's only  
4 a few feet from me, counsel. So how is it that I am not supposed  
5 to hear what she's hearing?

6 MR. MIN: I actually don't believe it's in English, Your  
7 Honor, so -- but I'm happy for the witness to go somewhere else,  
8 whatever Your Honor wishes.

9 THE COURT: When you say you "don't believe it's in  
10 English," do you know if it's in English or not?

11 MS. SEIPEL: Your Honor, I would request that Mr. Min  
12 send me the recording and that I be given an opportunity to let  
13 my client listen to it in one of your rooms, and then we could  
14 take her back up on the stand and Mr. Min can ask her the  
15 questions that he wants to ask her.

16 THE COURT: Well, to move things along, can you  
17 represent, counsel, that it's in English or not in English?

18 MR. MIN: Your Honor, I don't believe it's in English.  
19 That's ...

20 THE COURT: Well, just to be cautious, let's go ahead  
21 and take a short recess and let the witness step into the  
22 anteroom that's right outside this courtroom. As soon as she's  
23 had the opportunity to review it, we will come back into court.

24 MR. MIN: Thank you.

25 THE COURT: How long is it, counsel?

1 MR. MIN: Fifty seconds, Your Honor.

2 THE COURT: All right. Let's proceed. I will stay on  
3 the bench then. You can step down.

4 Counsel, you can accompany.

5 MS. SEIPEL: Thank you, Your Honor.

6 THE WITNESS: So I go with them?

7 THE COURT: Yes, and your lawyer, with your lawyer.

8 THE WITNESS: Okay.

9 THE COURT: Yeah.

10 (Off the record.)

11 MS. SEIPEL: Your Honor, I have a lot of questions about  
12 this recording. In discovery, we requested to be provided with  
13 all recordings of respondent. Mr. Min just told Your Honor that  
14 I have not had a chance to view this video, but then he just told  
15 me that it was provided in discovery.

16 THE COURT REPORTER: Counsel, can you hold on one  
17 minute, please?

18 Sorry.

19 MS. SEIPEL: I'm sorry.

20 THE COURT REPORTER: Okay. Go ahead.

21 MS. SEIPEL: I will reiterate for the record that I have  
22 serious concerns about this recording.

23 In our requests for production, we requested all audio and  
24 video recordings of the respondent. Mr. Min just told the Court  
25 that I have not had a chance to hear this, view it, or review it.

1 When I just asked him a question about it not being in discovery,  
2 he told me that it was provided in discovery.

3 And I also have concerns about it being in another language,  
4 that of which, other than my client, I don't speak, haven't had  
5 that chance to hire a translator, haven't had a chance to bring  
6 someone into court to testify about it otherwise, there's nobody  
7 here to translate it or interpret it. And so at this point, I  
8 think -- I renew all of my objections and request that we move  
9 on.

10 THE COURT: Mr. Min?

11 MR. MIN: Your Honor, again, this is simply to refresh  
12 recollection. Any document can be used to refresh recollection,  
13 Your Honor. I mean, it's not -- it doesn't matter whether I  
14 understand it or counsel understands it. It's about the witness.  
15 It could be anything. If that refreshes her recollection as to  
16 whether or not she said these things, that's the only thing that  
17 matters.

18 THE COURT: Well, counsel, at this juncture of the  
19 proceeding, the Court is going to give her the opportunity to  
20 listen to it. If there's continued or ongoing concerns about  
21 what's contained -- counsel has represented it's just a matter of  
22 seconds. I believe your client, in light of where we are right  
23 now, can assist you in providing a proper translation. If  
24 there's ongoing concerns, you can bring it to the Court's  
25 attention.

1 MS. SEIPEL: Okay.

2 THE COURT: But at this point in time, the objection is  
3 overruled. This recording can be utilized to refresh the  
4 witness's recollection.

5 MS. SEIPEL: Could I ask a clarification question?

6 If this video was requested in discovery, and we were not  
7 provided this video in discovery, they should not be permitted to  
8 use it even to refresh my client's recollection, and I would ask  
9 that it be not viewed/heard on that ground.

10 THE COURT: Mr. Min, was this provided?

11 MR. MIN: We're checking on that. It may not have been  
12 provided because it may not have been responsive to any of the  
13 issues in this case. I mean, she's now just testifying that she  
14 doesn't recall, which is the only reason we even thought about  
15 using it.

16 MS. SEIPEL: Again, we requested all video and audio in  
17 his client's possession.

18 THE COURT: All right. Let's go listen to it, counsel,  
19 then come back.

20 MS. SEIPEL: Thank you.

21 THE COURT: When I say "us," meaning the three of you.

22 MS. SEIPEL: Thank you, Your Honor.

23 (Off the record.)

24 THE CLERK: Please rise.

25 (Recessed.)



1 THE COURT: Please be seated.

2 MR. MIN: Your Honor --

3 THE COURT: Counsel, where is your co-counsel? She's  
4 the one that's responding --

5 MS. SKINNER: She's in the restroom, but we're ready to  
6 proceed, Your Honor. I can cover. No problem.

7 THE COURT: Okay. So is there still an outside issue as  
8 raised by your co-counsel?

9 MS. SKINNER: The issue as far as -- this recording is  
10 responsive to a request that we asked for all audio or video  
11 recordings from January 1, 2022, to present, and it was not  
12 produced in discovery. So we continue our objection that this  
13 not be used for any purpose during this trial, as it was not  
14 provided.

15 THE COURT: Counsel, can you demonstrate whether or not  
16 that was produced?

17 MR. MIN: It was provided. We told them exactly what  
18 folder it was in, the date it was produced, which was the initial  
19 discovery response date. There were supplementals after that,  
20 but this was produced in Folder 11, Document No. 22, and we told  
21 counsel that during the break.

22 MS. SKINNER: We were told that it was provided on  
23 December 19th. We have no discovery received on December 19th.

24 MS. MCHALE: No. December 17th.

25 MR. MIN: No. The --

1 THE COURT: Wait a second, wait a second.

2 So, Mr. Min, what do you have that you can show to the Court  
3 to demonstrate that that recording was actually produced?

4 I will tell you what, I'm not going to waste any more time on  
5 this issue. I'm not going to permit counsel to ask that  
6 question. I will give you the opportunity over the noon hour or  
7 over the break to demonstrate to counsel that, in fact, that  
8 document or recording was produced. If you can demonstrate to  
9 the Court's satisfaction that it was produced, then you can make  
10 your examination of the witness on that point. Otherwise, let's  
11 move on.

12 MR. MIN: Your Honor -- I mean, so I shouldn't ask her  
13 about the recording yet?

14 THE COURT: If you can demonstrate to the Court that you  
15 have produced that document --

16 MR. MIN: We can. Within ten seconds, we can do that.

17 THE COURT: All right. Let's do it.

18 MR. MIN: We sent them the link. Again, counsel is just  
19 stating the wrong date in which the discovery was produced. It  
20 was produced on the first date of discovery. We sent them a link  
21 with all the documents in there. We can show the Court the link  
22 with all the documents that were in there.

23 THE COURT: Well, let's do it this way. Ask the witness  
24 the question. Counsel will have the opportunity to inspect your  
25 records over the break or over the noon hour. If you find

1 something different, then you can present it to the Court, I will  
2 strike the witness's -- the question and answer provided. But  
3 short of that, counsel is permitted to ask the question, based  
4 upon his representation in good faith that the discovery was  
5 produced. Let's proceed.

6 MR. MIN: December 17th.

7 Q (By Mr. Min:) Did that help you refresh your recollection?

8 A No.

9 Q No? Okay.

10 Have you ever heard that recording before?

11 A No.

12 Q Your husband filed for a personal protective order in  
13 Singapore, correct?

14 A Yes.

15 Q Okay. In there, did he allege that you had said these  
16 things?

17 A I don't know.

18 Q Have you ever thrown a tumbler at your husband?

19 A No.

20 Q In New Zealand, you never threw a tumbler at him?

21 A No.

22 Q On August 31st, 2024, did you try to physically remove his  
23 phone from his possession? "Yes" or "No."

24 A No.

25 Q You never lunged at him and tried to grab his phone when he

1 was holding it?

2 MS. SEIPEL: Objection. Asked and answered.

3 THE COURT: That's sustained.

4 Q Your husband wanted you to work while you were living in  
5 California, correct?

6 A I don't know that.

7 Q Didn't your husband suggest you should get a job while you  
8 were living in California?

9 A I know I wanted to try and get a career back. I don't  
10 remember if he told me "Get a job."

11 Q I'm going to pull up a page from your deposition, Bates stamp  
12 P2423 to 2424, starting on line 18, on Bates stamp page 2423 --  
13 and the first question and answer is more for context, so if you  
14 just want to take a look at it, about entering the job force --  
15 and then the question:

16 Question: "Well, I didn't -- I don't mean to say he  
17 pushed you, but more that he thought you should do  
18 it?"

19 Answer: "You know, so I think he -- we were going  
20 through, like, issues where -- you know, I think he  
21 felt that, like, for example, the same -- the same  
22 thing that keeps coming up in our relationship that,  
23 you know, I need emotional support, I'm feeling very  
24 lonely, you're very busy with your career, you never  
25 show up, you're never around me and the baby. And he

1 goes, 'You know, you should do that for yourself too,  
2 like maybe get a job and get out of the house.'  
3 Because although I enjoy being with my baby, just  
4 doing that throughout the day and not seeing another  
5 human being, except the baby, for days together was  
6 getting to me quickly. I was going through some  
7 postpartum issues as well as. So maybe he did  
8 express -- I remember Prasanna saying, 'You know,  
9 maybe you should get a job too, so that you can get  
10 out of this rut and feel better about it.'"

11 A Yeah.

12 Q So he did suggest you get a job while you were living in  
13 California, correct?

14 A Yeah.

15 Q He wanted you to get out the house and have your own life,  
16 correct?

17 A Yeah.

18 Q Your mother came to visit you in California, correct?

19 A Yes.

20 Q And in Washington, correct?

21 A Yes.

22 Q And when she would come, she would stay for months at a time,  
23 correct?

24 A Yes.

25 Q Living with you and your husband, correct?

1 A Correct.

2 Q And your husband never complained or expressed any issue with  
3 your mother coming to visit, correct?

4 A He complained.

5 Q He complained. Okay.

6 What did he complain about?

7 A I don't know. I think he was -- maybe he would be, like, too  
8 many days that your mom is staying with us, maybe lack of  
9 privacy. Like, I just remember that he wasn't -- I mean, he  
10 wasn't a happy, welcoming person sometimes.

11 Q So he complained about her staying too long; is that your  
12 testimony?

13 A Yeah.

14 Q Okay. But your mother did come --

15 A Yeah.

16 Q -- frequently?

17 A Yeah.

18 Q Okay. And he never prevented your mother from coming to  
19 visit, correct?

20 A Yeah.

21 Q And while you were living in the United States, you  
22 socialized with your friends, correct?

23 A Yes.

24 Q You would go to their houses and they would come to your  
25 houses?

1 A In the -- yes.

2 Q And your husband never prevented you from socializing with  
3 your friends, correct?

4 A We have had fights around that. I make plans for the  
5 weekend, and he will, you know, argue that we should not go or  
6 he'll be busy with something and he will not show up. So I  
7 remember having some, like, you know, disagreements and fights  
8 around that. But, yes.

9 Q About him not wanting to go?

10 A Also, like not wanting for me and the child to go.

11 Q Go where?

12 A To meet with our friends over a weekend, for example.

13 Q Was that just because he didn't believe the schedule or the  
14 logistics of it made sense?

15 MS. SEIPEL: Objection. Speculation.

16 THE COURT: Sustained.

17 Q You made meaningful friendships, though, in California and  
18 Washington? You personally, correct?

19 A Yes.

20 Q And your testimony is that Prasanna objected at times to you  
21 having a social life and meeting your friends?

22 A Yes.

23 Q I'm going to show you a line from your deposition,  
24 Bates stamp page 2476, page 95, starting at line 21. Apologies.  
25 It's Bates stamp 2472.

1 One second, Your Honor. Apologies, Your Honor. One last  
2 time, one last try. Bates stamp page 2474:

3 Question: "Okay. Did Prasanna ever express to you  
4 any feelings that he didn't want you meeting up with  
5 your friends or didn't want you, you know, leaving  
6 the home to have a social life?"

7 Answer: "To be honest, we never really left the home  
8 to have a social life. I feel like I would invite  
9 people over or I would actually visit them. And the  
10 only other time that we would leave the home was to go  
11 on hikes. Like I was not really, like, the nightlife  
12 type of person. I preferred to put my child to sleep  
13 at home and just sleep with him, you know, kind of.  
14 So I don't think he had objections, yeah, and for me  
15 as well. I tried to prioritize my immediate family  
16 over the friends. So I don't know that he had any  
17 issues, at least I don't remember him expressing any  
18 issues like that to me."

19 Is that an accurate reading of the question you were  
20 asked and the answer you provided?

21 A Yes. I think this is purely about the COVID time, though.  
22 It looks like I've said that we only went to people's homes and  
23 didn't do other things. So I'm not sure of the context, it's  
24 all -- all of U.S. life or just in Washington during COVID.

25 Q Okay. So is it your testimony that during COVID, he had no



1 objection to you seeing your friends, but that outside of the  
2 COVID period, he did?

3 A Yes.

4 Q When was the last time you spoke verbally with your husband?

5 A Maybe like early September, when he tried to call to my child  
6 through my phone. I just had a quick exchange with him on the  
7 phone.

8 Q So after August 31st -- or withdrawn. Was August 31st the  
9 last time you had an extended conversation with him?

10 A Yes.

11 Q Your testimony was that he, your husband, had threatened you  
12 with releasing pornographic materials; is that your testimony?

13 A Yes.

14 Q Okay. Those threats occurred before August 31st?

15 A Yes.

16 Q Not in these brief exchanges you had in early September,  
17 correct?

18 A Yes.

19 Q You filed a police report on August 31st, correct?

20 A Correct.

21 Q You didn't mention anything about any threats or anything,  
22 correct? "Yes" or "No."

23 A I mean, I went in to give the devices --

24 Q "Yes" or "No."

25 A No.

1 Q You filed, then, further police complaints, correct?

2 A Yes.

3 Q When was that?

4 A August 31st, October 2nd, and then probably another date,  
5 maybe November or late October.

6 Q Okay. I'm going to show you a document admitted as  
7 Petitioner's Exhibit 103. This is your sworn statement in the  
8 Washington courts, correct?

9 A Yes.

10 Q Paragraph 15, Bates Page No. 1529, you wrote, "On  
11 October 2nd, 2024, I received the Indian divorce papers and  
12 notice of a hearing in India scheduled for October 8." Do you  
13 see that?

14 A Yes.

15 Q So on October 2nd, you were served -- or you were notified  
16 that -- notified of Indian proceedings, correct?

17 A I received the courier or the mail on October 2nd in the  
18 house. When I received it, I wasn't -- I mean, I was just  
19 outside at that time.

20 Q Okay. And then you filed two additional police reports  
21 afterwards against your husband, correct?

22 A I was filing the police reports when I received the summons  
23 at home.

24 Q Not both, though. One you filed afterwards?

25 A So I left by taxi. When I was leaving outside the gate of my

1 house, the person that was delivering the mail gave the mail to  
2 me, and I was on my way to the police station at that point in  
3 time already. Because that's when I discovered that those  
4 recording devices had cameras in them, and I took them straight  
5 to the police.

6 Q I thought you testified that you took the devices to the  
7 police on August 31st?

8 A I initially took them on August 31st, thinking that they were  
9 just voice recorders, and the police refused to take them in.  
10 They said it's okay for a husband to place voice recorders inside  
11 the house and they refused to take that as a report. I also  
12 requested them to check the devices and look through my house for  
13 more such devices, but the police refused to do that, and they  
14 only took in the complaint for the domestic assault.

15 MR. MIN: Your Honor, nonresponsive to the question and  
16 hearsay as to what the police said. The question was, "I thought  
17 you took the devices to the police on August 31st?"

18 THE COURT: The answer remains.

19 Q You testified that your husband grabbed you by the throat in  
20 2017; is that correct?

21 A I don't remember the year, but there was one instance where  
22 he grabbed me by the throat.

23 Q But was it not the same instance that you talked about in  
24 Exhibit 305 -- if we could pull that up? -- where your husband  
25 was -- you and your husband were talking about your husband

1 saying "Go and die" and his feelings about that?

2 A Yes.

3 Q That was the same time period?

4 A Yes.

5 Q That was when your husband went downstairs with his friend  
6 and left your child with his friend's wife?

7 A Yeah. He just left the child there and he went out  
8 somewhere, yes.

9 Q And he told you that his friend went downstairs to smoke a  
10 cigarette and he joined him and left the child with his wife for  
11 a few minutes, right? That was what he told you happened?

12 A I don't remember what he told me, but he just left the child  
13 and he went. That's what I remember happening. And if I spoke  
14 to him about it, it should have been a prolonged period,  
15 otherwise, why would I ask? Why would my friend complain to me  
16 that the child was just left in my care?

17 Q Okay. You don't mention any physical altercation in  
18 Exhibit 305, correct, in your e-mail exchange with your husband?  
19 "Yes" or "No."

20 A I mean, I'd have to read through it and remember that there  
21 is ...

22 Q Sure. Feel free to read through it. Do you want me to give  
23 you a hard copy?

24 A I'm fine with this. Thank you.

25 Q Okay. Just let me know if you ever mention or talked about

1 him grabbing you by the throat.

2 A I mean, on this page, I --

3 Q Do you talk about him grabbing you by the throat?

4 THE COURT: Counsel, the witness hadn't completed her  
5 answer.

6 You may complete your answer.

7 THE WITNESS: Yes, sir.

8 A I mean, on this page that I'm shown, I'm talking about the  
9 abusive behavior, but I'm not specifically stating "grabbing the  
10 throat," I guess. I mean, that's what I'm reading here.

11 Q Do you want to go down to the next few pages? We will go  
12 down to page 2, whenever you are ready.

13 THE COURT: Counsel, I believe we're ready.

14 MR. MIN: Okay.

15 Q The next page.

16 THE COURT: It's 10:30. We will take our morning  
17 recess.

18 THE CLERK: All rise.

19 THE COURT: During the break, I will allow the witness  
20 to continue reading the balance of the document so we're ready to  
21 go when we come back.

22 (Recessed.)

23 THE COURT: Good morning, again. Please be seated.

24 Please continue, counsel.

25 MR. MIN: Thank you.

1 Q (By Mr. Min:) Have you had a chance to review this document  
2 during the break?

3 A Yes.

4 Q Okay. And there's no mention of grabbing the throat in this  
5 document, correct? "Yes" or "No."

6 A If you go down like one page from what's being shown right  
7 now?

8 Q Sure.

9 A Some more, please.

10 Further down.

11 So I had mentioned abusive behavior. Like, you know, I've  
12 not really specified that he caught my throat and shook me, but I  
13 think that's what I have, like, written back.

14 Q You had several exchanges -- or withdrawn.

15 This is an e-mail exchange between you and your husband, yes?

16 A Did you say e-mail exchange?

17 Q Yes.

18 A Yes.

19 Q Yep, yep. Okay.

20 And you both are lodging complaints about the other in this  
21 exchange, correct?

22 A Yes.

23 Q Okay. If we go to page 2 -- and just to clarify, the ones  
24 with the lines on the left are your husband's e-mail and then  
25 your response is the one without the lines next to it. All

1 right?

2 A Yes.

3 Q Okay. And you see in the second part that has a line next to  
4 it, where it starts "The diff," right?

5 A (No audible response.)

6 Q Yes?

7 A Right.

8 Q Do you see where -- can we highlight that whole section?  
9 Do you see the highlighted part?

10 A Yes.

11 Q That's your husband e-mailing you, right?

12 A Yes.

13 Q And he's complaining to you -- saying to you in the e-mail  
14 that you're putting him down and that he feels like he has to  
15 report to you, correct?

16 A Yeah. When I say "feed the kid and don't abandon the kid,"  
17 he's feeling like I'm acting superior to him. That's what he's  
18 saying.

19 Q Well, does he say that in here? When you say that's what he  
20 is saying, does he say --

21 A Yeah.

22 Q -- when you -- well, let me finish the question.

23 Is he saying that in this e-mail, "When you tell me to feed  
24 my child, you're acting superior to me"?

25 A Yeah, that is the context, right? So he said the difference

1 in the two formats, and the format we have been discussing, the  
2 context, is that he left the child and he didn't feed the child.

3 Q Okay. And if we go down below, to the next section with the  
4 line next to it, you guys are talking about the things you said  
5 to each other during this argument, correct?

6 A (No audible response.)

7 Q "Yes"? Number 4.

8 A Did you mean the highlighted part?

9 Yeah.

10 Q Yeah.

11 And then you said -- you used the word "nakkittu" -- and I  
12 will spell that, n-a-k-k-i-t-t-u -- what does that word mean?

13 A It just means -- and this is a hard one to -- Tamil is a  
14 very, like, colloquial language. So it's in Tamil. It means if  
15 you want to please your -- please, like, you know, sort of -- how  
16 do you call it? -- if you want to serve the friend or please that  
17 friend.

18 Q Okay. What is "sappify," s-a-p-p-i-f-y?

19 A That's a word that Prasanna has used. I don't know what he  
20 meant by that. But, literally, in Tamil, it means to -- it's  
21 like to lick a popsicle or something like that, to ...

22 Q And above that, your husband accused you of yelling at him  
23 during this argument, correct?

24 A Yeah.

25 Q Did you yell at him?



1 A I mean, I said, "Is my child an orphan? Why did you leave  
2 him and go?" Like, you know, I think that's his version of  
3 saying I yelled at him.

4 Q All right. But your husband didn't think he did anything  
5 wrong, that would be fair to say, right?

6 MS. SEIPEL: Objection. Speculation.

7 THE COURT: Sustained.

8 MR. MIN: Okay.

9 Q Your husband told you in this e-mail that he did not have any  
10 regrets about going downstairs with his friend and leaving the  
11 child with his friend's wife, right?

12 A Yes.

13 Q If we go to the fourth page of this, where you write, in  
14 response to this -- well, actually, apologies, where it says  
15 "Anyway," the fourth paragraph down, you talked to him -- no, no.

16 Where it starts "Anyway," going down to that whole section,  
17 you mention events from your marriage that have scarred you very  
18 deeply, right?

19 A Yes.

20 Q Yeah.

21 And so you start listing things that have scarred you very  
22 deeply from your marriage. And this is written in 2017, correct?

23 A Yes.

24 Q And your child was born in 2016?

25 A Yes.

1 Q And so the first thing you talk about is the fact that you  
2 say your husband, early in the marriage, would prioritize going  
3 out with his friends, right?

4 A Yes.

5 Q And then you also talk about how you -- in the Netherlands,  
6 while you guys were living there, you would come home wanting to  
7 have intimacy with your husband, but then no longer want to  
8 because of things that you found objectionable, correct?

9 A Yeah. He would have satisfied himself watching porn and,  
10 yeah, nothing will happen between us.

11 Q Okay. And that was --

12 A That's what I was talking about.

13 Q Apologies.

14 And that was one of the scarring events in your relationship,  
15 correct?

16 A Yes.

17 Q And the third thing you referenced was what you perceive to  
18 be your husband's hygiene, correct?

19 A Yeah.

20 Q And then you talk about what you're looking for in him,  
21 correct?

22 A Yeah.

23 Q You don't mention any discussion here about sexual assault or  
24 rape or anal sex, correct?

25 A Yeah.

1 Q Now, would you consider that your husband grabbing you by the  
2 throat is a form of physical assault?

3 A Yeah.

4 Q Yet, when you filed your police report in Singapore, you told  
5 the Singapore police that the incident on August 31st was the  
6 first time your husband had ever assaulted you, correct? "Yes"  
7 or "No."

8 A Yes.

9 Q Okay. You testified you went to the hospital that evening,  
10 correct?

11 A Yes.

12 Q Okay. Did you produce hospital records for this Court to  
13 review?

14 A It's with the Singapore police. They refused to give it to  
15 me. I asked them, but they did not really, like, you know,  
16 produce it to me. They said they got it from the hospital and  
17 it's with them. Maybe we should -- I don't know how to get it  
18 from them. I requested them for it.

19 Q And did you ever try to request it from the hospital?

20 A I did, and they refused. They said that I would have to get  
21 it from the police. So I contacted the police, and the police  
22 refused to give it to me.

23 Q Okay. Did you mention your husband grabbing you by the  
24 throat in either your Singapore application for a protective  
25 order or your Washington application for a protective order?

1 "Yes" or "No."

2 A I mean, the Singapore application, I think I mentioned only  
3 the domestic violence complaint on August 31st. I don't remember  
4 what I mentioned in the Washington protection order. I think it  
5 was more of the recent events that I mentioned in the Washington  
6 protection order.

7 Q Did you take a video or a recording of the incident on  
8 August 31st?

9 A I tried to, which is when Prasanna tried to, like, lunge and  
10 grab the phone from me. And I couldn't really like capture the  
11 video. My phone was facing the other side.

12 Q But you did record something?

13 A I think so, yeah.

14 Q Okay. Did you --

15 A I would have to check.

16 Q Did you turn that over to your lawyers for discovery?

17 A I'd have to check. I don't remember.

18 Q But you didn't present it as evidence in this case?

19 A I don't -- I don't know. I don't think so.

20 Q Did you ever ask your husband to discipline your child?

21 A I have asked him to step in with parenting, but I don't know  
22 if I've asked him to discipline the child.

23 Q Have you ever expressed frustration with things that your  
24 child did?

25 A Yes.

1 Q Okay. Have you ever called your child names?

2 A I don't think so.

3 Q Have you ever referred to your child as -- with a negative  
4 name?

5 A No.

6 Q You have never called your child a "sick asshole"?

7 A No.

8 Q Have you ever said that your son is "being a sick asshole"?

9 MS. SEIPEL: Objection. Relevance.

10 THE COURT: Sustained, counsel.

11 MR. MIN: Well, I think it's relevant because the  
12 witness has spent ample time trying to present herself as a  
13 doting mother who should be the parent of this child and,  
14 essentially, arguing that the child being with her is what  
15 provides a secure environment.

16 THE COURT: I will sustain the objection. Move on,  
17 counsel.

18 Q (By Mr. Min:) Have you ever -- you have asked your husband  
19 to help out with A [REDACTED] in situations when you've found it  
20 difficult to deal with him?

21 A Yes.

22 Q Some of those issues would be your son eating; is that  
23 correct?

24 A Yes.

25 Q And your son going to sleep as well?

1 A Yes.

2 Q You produced several years' worth of WhatsApp messages  
3 between you and your husband, correct?

4 A Yeah, I may have. I don't remember if I did.

5 Q Do you know if the word "rape" appears anywhere in those chat  
6 messages?

7 A I don't know.

8 Q Would it surprise you if the word "rape" did not appear in a  
9 single message between you and your husband in the messages you  
10 produced?

11 MS. SEIPEL: Objection. Her surprise is not relevant.

12 THE COURT: That's sustained.

13 Q Are you aware of if the word "force" appears in any of those  
14 text messages?

15 A I think.

16 Q You think?

17 A Yes.

18 Q Can you show where perhaps?

19 A Should I use my phone to show it or -- I don't know how I  
20 should do that.

21 Q Perhaps at the next break. I won't take the time.

22 What about "coerce"?

23 A I don't know.

24 Q Isn't it true that you and your husband did not have sexual  
25 relations for a significant period of time after your child was

1 born?

2 A I was away in India when I had three surgeries back-to-back,  
3 so, yes. He was in the U.S. So we were physically apart from  
4 each other after my child was born for some time.

5 Q And there were other periods of time in your life, in your  
6 relationship and marriage, after your child was born, in which  
7 you and your husband did not have sexual relations, correct?

8 A When we were physically apart from each other, yes.

9 Q I'm going to show you a message, Respondent's Exhibit 327,  
10 page 105. These are messages between you and your husband?

11 A Yes.

12 Q Okay. Accurate messages between you and your husband from  
13 August 25th, 2023?

14 MS. SEIPEL: Objection. This exhibit has not been  
15 admitted into evidence.

16 THE COURT: That's correct.

17 MR. MIN: Your Honor, I'm laying a foundation, Your  
18 Honor.

19 THE COURT: I understand, but I'm not sustaining the  
20 objection either. So please continue.

21 MR. MIN: Thank you.

22 Q These are accurate messages between you and your husband on  
23 August 25th, 2023?

24 A Yes.

25 Q Okay. This is you and your husband discussing your sex life,

1 fair?

2 A Yes.

3 MR. MIN: Your Honor, we'd move to admit this page,  
4 page 105 of 239 from Respondent's Exhibit 327.

5 THE COURT: Just page 105, correct?

6 MR. MIN: Yes, Your Honor.

7 THE COURT: Any objection, counsel?

8 MS. SEIPEL: Hearsay.

9 THE COURT: The objection is overruled. It's admitted.

10 MR. MIN: Okay. Thank you.

11 THE CLERK: Which page is this, Your Honor?

12 THE COURT: 105.

13 (Exhibit No. 327, page 105, admitted.)

14 Q Your husband, on August 25th, is bringing up your sex life  
15 with you, correct?

16 A Yes.

17 Q He says, "Hi, sweetheart. You are such a treasure. You are  
18 very pretty and beautiful in your heart. Generally wish the best  
19 for others while also going through a lot personally in terms of  
20 pain and pulling off lots of responsibilities. I love you lots  
21 and I know you do many things for me. I feel very selfish and  
22 greedy talking about sex to you. Mind stops me from doing it.  
23 The heart stills feel this narrative of I haven't had sex for  
24 many months and I waited patiently and it's still being  
25 considered the lowest priority."



1 So he's talking about not having sexual relations with you  
2 for months, correct?

3 A Yeah, he's saying that, but -- yes.

4 Q Okay. And then he's talking about what he's looking for in a  
5 partner in terms of a sexual relationship, correct?

6 A Yes.

7 Q At the end, or towards the end, at 15:53:09, your husband  
8 writes to you that "I crave for your love and kisses every day,"  
9 right?

10 A Yes.

11 Q Then he's also saying that he is looking for sexual relations  
12 once every two days. That is what he wants, right?

13 A Yes.

14 Q And then you respond, if we can scroll down, "Okay. I  
15 understand, babes. I will definitely try to prioritize your  
16 needs henceforth. A lot conflicted in values too. That's  
17 something that I can discuss separately with you and try to sort  
18 out. Because in my mind I'm trying my hardest to be a really  
19 good family person and a really immersed mother. I feel that  
20 having a mom with such qualities becomes very important for boys  
21 as they grow."

22 So at this time, in the summer of 2023, was Prasanna --  
23 withdrawn, Your Honor.

24 Was the first complaint you made about rape the police report  
25 that you filed in Singapore --

1 A Yes.

2 Q -- in October of 2024?

3 A Yes.

4 Q You went on a retreat in December of 2023, correct?

5 A Yes.

6 Q For how long?

7 A I think it was 20 days.

8 It was the naturopathic treatment. I don't know if I'd call  
9 it a retreat.

10 Q You were writing with your mother and your husband about you  
11 being away for that time period, correct?

12 A I was writing? Can you clarify that?

13 Q Yeah, messaging on WhatsApp with your mother and your  
14 husband.

15 A Yes.

16 Q And your husband was saying that he had no problem taking  
17 care of A[REDACTED], correct?

18 A Well, he -- I mean, he said -- there were two maternal  
19 caregivers that I left with my child when I went for the  
20 naturopathic retreat. One was my mother and the other was the  
21 domestic helper, and Prasanna was okay with that arrangement. He  
22 wouldn't be okay with me leaving A[REDACTED] alone with him.

23 Q Did you ever write to your husband and say, "Well, super  
24 daddy, you are doing an amazing job spending time with A[REDACTED] and  
25 taking care of him"?

1 A Yeah, for sure, I would have appreciated him.

2 Q Would you describe your husband as very physically violent,  
3 explosively angry, and an unsafe parent towards your child ever  
4 since infancy?

5 A I think physically violent, yes. Explosively angry, also,  
6 yes. An unsafe parent, yes.

7 Q Ever since the child's infancy?

8 A Yes.

9 Q And you're describing he is physically violent towards your  
10 child?

11 A Yes.

12 Q And explosively angry towards your child?

13 A Yes.

14 Q Unsafe parent toward your child?

15 A Yes.

16 Q Did you describe him that way to Dr. Poppleton?

17 A I don't remember.

18 Q You filled out a questionnaire for Dr. Poppleton, though,  
19 correct?

20 A Yes.

21 Q Okay. And do you recall being asked "Describe your concerns  
22 with your child's residential placement"?

23 A Can you ask that question again?

24 Q Sure.

25 Do you recall being asked on the questionnaire "Describe your

1 concerns with your child's residential placement"?

2 A I don't specifically recall that question, but maybe it was  
3 on the questionnaire.

4 Q Sure.

5 We will pull up Exhibit 110, Bates stamp page 2147.

6 Do you see where it says "Describe your concerns with your  
7 child's residential placement, if applicable"?

8 A Yes.

9 Q Okay. You wrote, "I'm worried if he might get exposed to  
10 vices very early on in life through the father's voyeuristic  
11 behaviors, porn addiction and sex addiction, as well as worried  
12 whether he can get any infections or diseases due to the father's  
13 continuous frivolous sexual behaviors with many  
14 partners/prostitutes." Do you see that?

15 A Yes.

16 Q That was your concern with your child's residential  
17 placement, that your child might learn bad habits from his  
18 father; is that --

19 A I think that was one of my concerns for sure, for the  
20 long-term sort of values of my child.

21 Q Interesting. Because following that, when asked "Has your  
22 child or do you expect your child has been physically abused?"  
23 You say, "No." "Sexually abused?" You say, "No." "Emotionally  
24 abused?" You say, "No." Do you see that?

25 MS. SEIPEL: Objection. Compound question,

1 argumentative.

2 THE COURT: It's overruled.

3 A I see that.

4 Q Okay. But when asked if he was neglected, you say, "Yes,"  
5 and you describe that "the father in recent times" -- or you  
6 describe that he was neglected in recent times by the father.  
7 You go on to say, quote, "Father was also very neglectful until  
8 the child turned 5+ years old. Father used to be selfishly  
9 focused on his career and his enjoyment outside of the family.  
10 Only after he took a step back from his career, and after much  
11 insisting from me to form a bond with our child, he started  
12 participating in the child's life. In recent times, however, the  
13 father abandoned our child since August 31."

14 So your concern to Dr. Poppleton was that until your child  
15 turned approximately 5 or 5-plus years old, your husband was very  
16 neglectful of your child; is that fair? That's what you wrote to  
17 him, right?

18 A Yes.

19 Q But after you insisted that your husband form a closer bond  
20 with your son, you expressed no concerns until you allege that  
21 your husband abandoned your son on August 31. Is that what you  
22 wrote to Dr. Poppleton?

23 A I wrote that, but there were e-mails that I have expressed  
24 concerns, you know, that he's hitting my child and all that. I  
25 don't know why I said "No" to the physically abused question.

1 But, of course, my child is, hopefully, definitely not sexually  
2 abused or emotionally abused.

3 Q If we go to page 2149, you were asked to mark off all that  
4 the child has been exposed to. You do write "domestic violence,"  
5 you don't click "pornography," you do not check off "spanked,"  
6 you check off "abandonment" and "timeout." Yet, you testified  
7 yesterday that your husband did spank your son. Do you recall  
8 that?

9 A I think "spanked" is more like hitting on the butt, right? I  
10 testified that he pinched and hit him on the back.

11 Q I thought you used the term "spanked." Did you not in your  
12 testimony?

13 A I don't -- I don't remember. But, I mean, the incidents I  
14 remember in my head are, like, pinching and the hitting on the  
15 back.

16 Q One of the concerns you raised was that your child might  
17 develop vices, including a porn addiction, right?

18 A Correct.

19 Q But you did not check off that your child has been exposed to  
20 pornography, correct?

21 A I hope to God that he has not been exposed to pornography,  
22 but there are instances where Prasanna's laptop would, you know,  
23 have pornography advertisements or images, and I'm afraid that my  
24 child might just peep and look and like, yeah, be exposed to it.

25 Q You asked the Singapore courts for supervised visitation,

1 correct?

2 A Yeah. In my filing? Maybe, yes.

3 Q Okay.

4 A I asked that he be allowed to visit the child. I don't know  
5 if it's supervised.

6 Q We'll pull up your affidavit in the Singapore courts,  
7 Exhibit 68.

8 This is the affidavit you filed in the Singapore courts?

9 A Yes.

10 Q We will go to Bates stamp page 524, the last paragraph, "To  
11 make sure that our child" -- well, withdrawn.

12 You wrote to the Singapore courts, quote, "To make sure that  
13 our child does not feel completely abandoned by the father  
14 Prasanna, I will cooperate for supervised visitation of the child  
15 by the father on one or two days every month in a mutually agreed  
16 upon public space or play area provided he proves medically that  
17 he's free from STDs and other communicable infections, as well as  
18 will not be accompanied by any other women/friends of his who can  
19 threaten our child's safety."

20 This was your concern, correct?

21 A Yes.

22 Q That's why you asked for supervised visitation, correct?

23 A Yes.

24 Q And so if given supervised visitation with these conditions,  
25 you would have been fine with your husband visiting with your

1 child, correct?

2 A Yes.

3 Q In Singapore?

4 A Yes. But I think the situation is slightly different now.  
5 I'm seeing how a lot of this is about him.

6 MR. MIN: Your Honor, move to strike. There's no  
7 question pending.

8 THE COURT: Sustained.

9 Q You testified that you observed your husband hitting your  
10 child in Singapore, correct?

11 A Yes.

12 Q Okay. I'm going to pull up a deposition transcript, Bates  
13 stamp page 2667, page 81, line 1:

14 Question: "When was the last time you observed  
15 Prasanna physically and aggressively contact your  
16 child either through hitting, slapping, pinching, or  
17 anything like that?"

18 Answer: "I remember a day in the older Singapore  
19 home, just right before we moved to the new home, I  
20 think he had hit A [REDACTED], and my mom was with us even.  
21 And, yeah, I remember something like that. I'm not  
22 sure exactly if I remember the dates. I can't  
23 remember specifics."

24 Is that a question asked to you and answer you  
25 provided?



1 A Yes.

2 Q I'm going to start at line 13:

3 "Can you describe what happened, what you observed?"

4 Answer: "I remember I heard a lot of noise, and

5 Prasanna had hit A [REDACTED] and A [REDACTED] was crying. They were

6 sitting inside Prasanna's bedroom. And, yeah, my mom

7 was asking Prasanna not to hit him so hard. And

8 that's just all I remember. I don't know what led to

9 that. I wasn't around. But I just went in when --

10 after I heard A [REDACTED] crying."

11 Is that the question you were asked and answer you

12 provided?

13 A Yes.

14 Q So you didn't observe your husband hitting your child,

15 correct? "Yes" or "No."

16 A That day, I did not observe him hitting --

17 Q You're saying there were other --

18 THE COURT REPORTER: Excuse me. Can you repeat your

19 answer, please?

20 A Yes.

21 On that day, I did not observe Prasanna hitting A [REDACTED]

22 directly.

23 Q So there were other incidents when you did observe that; is

24 that your testimony?

25 A Yes.

1 Q So do you recall receiving an e-mail on Monday, January 6th,  
2 from your husband's Indian counsel?

3 MS. SEIPEL: Objection. Hearsay. Calls for hearsay.

4 THE COURT: It calls for a "Yes" or "No" answer.

5 A I'd have to look up the date. I don't recall.

6 Q Do you recall receiving a detailed accounting of the monies  
7 that your husband was transferring to you, in compliance with the  
8 Indian order for support?

9 A I don't recall. I haven't seen my e-mails because of the  
10 trial that's ongoing. Like, it's been many days since I have  
11 paid attention.

12 Q So you don't recall.

13 If I show you an e-mail, would it help you refresh your  
14 recollection?

15 A If I have seen it, yes.

16 Q So we will pull up something on the screen.

17 MR. MIN: Scroll down. Keep scrolling. Oh, scroll up,  
18 so you can see the date. Then we will scroll down.

19 MS. SEIPEL: I'm going to object to the relevance of  
20 this.

21 Q Do you recall -- does this help you refresh your recollection  
22 as to whether you received an e-mail from --

23 THE COURT: Let's respond to the objection first,  
24 counsel.

25 MR. MIN: Sorry. Your Honor, it's relevant because it

1 goes to impeaching the witness's testimony about how much money  
2 should have been transferred to her, with respect to complying  
3 with the Singapore -- the Indian order of maintenance.

4 THE COURT: I will sustain the objection. Counsel, move  
5 on.

6 Q Do you recall receiving an e-mail on December 31st regarding  
7 payment of the maintenance amounts to you?

8 MS. SEIPEL: Objection. Relevance.

9 THE COURT: I'll allow that.

10 You may answer that question.

11 A I don't recall.

12 Q I'm going to -- if I showed you an e-mail, would it possibly  
13 help you refresh your recollection?

14 A Sure.

15 MS. SEIPEL: I will renew my objection to relevance.

16 THE COURT: You can answer the question. Does this  
17 refresh your recollection?

18 MR. MIN: Your Honor, we haven't gotten there yet.

19 Your Honor, I will move on for now.

20 Q (By Mr. Min:) If this Court were to direct your child to  
21 return to Singapore, what financial considerations or other  
22 considerations would make you feel safe and secure to reside  
23 there with your child?

24 MS. SEIPEL: Objection. Her feeling safe and secure is  
25 not relevant.

1 MR. MIN: Your Honor --

2 THE COURT: That's overruled.

3 You may answer that question.

4 A I mean, that's a really difficult question to answer. Like,  
5 just the thought of going into Singapore makes me feel really  
6 unsafe, like if I have to be there on a Dependent Pass and  
7 knowing that my husband is constantly trying to move us out of  
8 the country. I'm looking for safety and stability for my child.  
9 I don't want him to, you know, be moved out of Singapore, like,  
10 you know, and -- I don't know. Like, I just feel like I want  
11 some permanence. And, yeah, there's a lot in question about  
12 financial security, physical safety and security. I don't have a  
13 formed answer to this question.

14 Q But when you were living in Singapore, you had sought, again,  
15 20- to \$30,000 in financial support, correct? That was your  
16 request?

17 A Based off of the expenses at that point in time, based on the  
18 fact that the rent alone costed {sic} me \$20,000, yes.

19 Q Okay. And you had requested supervised visitation for your  
20 child, correct?

21 MS. SEIPEL: Objection. Asked and answered.

22 THE COURT: That's sustained, counsel.

23 MR. MIN: Okay.

24 Q Would it be fair to say that receiving 30,000 Singapore  
25 dollars per month would fit -- make you feel safe and secure in

1 returning to Singapore?

2 A No.

3 Q What about your husband having an order of supervised  
4 visitation temporarily?

5 A No.

6 I just think that he can go to any extent now to take the  
7 money, and, you know, I feel really, like, unsafe for my child to  
8 be in that situation.

9 Q What situation?

10 A I don't know. My husband is going to try to coerce him or  
11 threaten using him to make sure that I back off. That's what he  
12 has done so far.

13 Q But you're the one who abducted the child to Washington,  
14 correct?

15 MS. SEIPEL: Objection.

16 THE COURT: Sustained.

17 Q Have you used your child to coerce your husband?

18 A No.

19 Q Do you believe that abducting your child or taking your child  
20 from Singapore to Washington was a means to control your husband?

21 MS. SEIPEL: Objection.

22 A No.

23 THE COURT: Sustained. Strike the answer.

24 Q We're going to pull up the document that I referenced  
25 earlier, the e-mail, to help you see -- or see if it will help

1 you refresh your recollection. We will pull that up on the  
2 screen.

3 MS. SEIPEL: Objection. I'm just not sure that the  
4 witness knows what she's refreshing her recollection on.

5 THE COURT: Counsel, let's clarify.

6 Q Does this help you refresh your recollection as to whether  
7 you received an e-mail on December 31st, 2024?

8 THE COURT: Counsel, let's identify and clarify the  
9 specifics of what this is.

10 MR. MIN: Yeah. It's an e-mail from petitioner's Indian  
11 counsel to respondent regarding the payment of sums, as directed  
12 by the Indian ASI.

13 THE COURT: All right. The only question is, what  
14 portion, counsel?

15 MR. MIN: Well, it's the whole thing, but paragraph 6 is  
16 the relevant portion.

17 THE COURT: All right. The only question before you is,  
18 does paragraph 6 refresh your recollection?

19 THE WITNESS: It doesn't. I don't remember seeing this  
20 e-mail from my mailbox.

21 MR. MIN: Okay. Your Honor, if I can just have one  
22 moment?

23 THE COURT: You may.

24 Q (By Mr. Min:) Have you asked the Singapore courts for  
25 permission to relocate to the United States with your child?

1 A I do not know if my Singapore counsel asked in the Singapore  
2 child custody hearing, but I know we've asked in the Washington  
3 court for permission to relocate here.

4 Q So you asked the Washington court for permission to relocate  
5 from Singapore to Washington?

6 A Yes.

7 Q But you are not sure if you asked the Singapore courts for  
8 permission to relocate from Singapore to Washington?

9 A Yes.

10 MS. SEIPEL: Objection. Asked and answered.

11 THE COURT: It's overruled. The answer remains.

12 Q If your child was directed to be returned to Singapore, would  
13 you be planning to ask for relocation, if you had not done so  
14 already, to the United States with your child?

15 MS. SEIPEL: Objection. Relevance.

16 THE COURT: That's overruled.

17 You may answer the question.

18 A Can you clarify the question to me?

19 Q Of course.

20 If the Court does direct your child to be returned to  
21 Singapore, would you ask the Singapore courts for permission to  
22 relocate from Singapore to the United States, to the extent you  
23 have not done so already?

24 A I do not know. It depends on how safe and good and I feel  
25 for my child.

1 Q Right.

2 So you may decide to stay in Singapore or ask for relocation,  
3 depending on your level of feeling safe or secure in Singapore?

4 MS. SEIPEL: Objection. Speculation, calls for  
5 privileged attorney-client communications.

6 THE COURT: Well, you are not required to answer the  
7 question regarding these statements or conversations you had with  
8 your lawyer, but you may answer the question otherwise.

9 Do you understand the question?

10 THE WITNESS: Can I ask a clarifying question?

11 THE COURT: Yes, you may.

12 A Please clarify the question, sir.

13 Q Sure.

14 Based upon your prior answer, is it then your testimony that,  
15 depending on how safe and secure you feel in Singapore, you may  
16 decide to stay in Singapore or ask for relocation?

17 A My mind is not firm on that. I don't know what is going to  
18 happen after this. I feel very -- unsettling and a lot of  
19 unknowns at this point. So, yeah --

20 MR. MIN: No further --

21 A -- I do not know the answer to that.

22 MR. MIN: Apologies. No further questions, Your Honor.

23 THE COURT: Redirect.

24 MS. SEIPEL: Yes, Your Honor.

25 REDIRECT EXAMINATION



1 BY MS. SEIPEL:

2 Q Ms. Sashidhar, do you have a real property interest anywhere  
3 in the world?

4 A Did you say "real property"?

5 Q Do you have a real property interest anywhere in the world?

6 A No.

7 Q You testified on your cross that during the period of COVID,  
8 when you lived in Washington, you didn't socialize much.

9 Did your family socialize much in Washington when COVID  
10 restrictions were lifted?

11 A Yes.

12 Q What sorts of things would you do?

13 A We went to birthday parties. We, you know, interacted a lot  
14 with our neighbors. The kids would play together in the  
15 neighborhood a lot. And then we went to birthday parties and  
16 social events, even indoors as well as outdoors. I think my  
17 child started going to a lot of extracurricular activities and  
18 classes. And then we started going out to restaurants. We  
19 would, you know, visit the fall fair and, you know, the pumpkin  
20 patches and apple farms and things like that. And, I mean, we  
21 were -- yeah, we were around a lot of friends. We would get  
22 together for dinners with friends. And I remember taking trips  
23 along with friends, together, friends and family together.

24 Q You testified on cross-examination about discussions you had  
25 with your husband regarding the Ardmore Park lease, and you said

1 that your husband told you about a diplomatic clause in the  
2 lease. What did your husband tell you about that diplomatic  
3 clause?

4 A He told me if that we had to leave the country and once we  
5 give up the employment pass, like this diplomatic clause could  
6 be, you know, pulled up and we didn't have to continue paying for  
7 the lease; we could break the lease at a point where we decided  
8 to leave the country altogether.

9 Q When you came to the United States for a visit in the summer  
10 of 2023, where was your child?

11 A I left him under the care of my mother in India, in her  
12 house.

13 Q Where was your husband at this point in time?

14 A I believe he spent one week with my child in India, and then  
15 he also came to the U.S. to be with me for, like, the last many  
16 weeks of my trip.

17 Q Does your son have a close relationship with your husband's  
18 mother?

19 A No.

20 Q Does your son have a close relationship with your husband's  
21 father?

22 A No.

23 Q Does your son have a close relationship with your husband's  
24 brother?

25 A No.

1 Q Does your son have a close relationship with your mother?

2 A Yes.

3 Q You testified on cross-examination that your mother, when she  
4 comes to visit you in the United States, is able to stay here for  
5 up to six months; is that accurate?

6 A Yes.

7 Q You also testified that when your mother -- your mother, when  
8 she comes to visit you in Singapore, can stay for up to one  
9 month; is that accurate?

10 A Yes.

11 Q Did you ever buy a house in Singapore?

12 A No.

13 Q Mr. Min asked you some questions about Exhibit 68, which is a  
14 declaration that you filed in Singapore, where you wrote, "I  
15 would like to make sure my child is not abducted, coerced, his  
16 health and safety put at major risk by any irresponsible actions  
17 of parent Prasanna."

18 What did you mean when you said you were worried about your  
19 child being abducted?

20 A Prasanna had A [REDACTED]'s passport at that time, and, also, like,  
21 there were unsafe situations surrounding the driver who was  
22 driving my child, and, you know, I was afraid that without my  
23 knowledge or even without my own child's consent, he could be,  
24 like, taken away from us.

25 Q You said there were unsafe situations with your child's

1 driver. What unsafe situations are you referring to?

2 A When the driver became privy to the fact that me and my  
3 husband were going through a divorce and there was a rough patch,  
4 like, you know, he could have used that information to sort of  
5 just take our child away. And around that time, there were also  
6 incidents of wealthy men in cryptocurrency and the blockchain  
7 space being kidnapped and stuff like that. So it was concerning  
8 for me that, you know, he could just say, hey, I told the other  
9 parent I took your child, but I didn't let you know, and the  
10 information wouldn't pass between me and my husband because we  
11 were not talking at that point. So many different ways like  
12 that. Because the driver knew that, you know, me and my husband  
13 were just not really, like, talking to each other. And I know  
14 that the driver was also aware of the fact that we were a very  
15 wealthy family, like, you know, because we lived in this big  
16 bungalow in Singapore, and Prasanna is, you know, a very famous  
17 personality in the blockchain-cryptocurrency space. So, yeah.

18 Q Has your husband ever threatened to abduct your son from you?

19 MR. MIN: Objection. Leading.

20 THE COURT: It is leading, counsel. Sustained.

21 Q Has your husband -- I'll rephrase.

22 When you made this statement in your Singapore declaration,  
23 why were you worried about your child being coerced?

24 A Around the time, during Prasanna's calls with A [REDACTED], or our  
25 child, Prasanna -- I mean, our child would come and tell me that,

1 you know, "Mommy, are you trying to loot a lot of money from  
2 Daddy" or "Mommy, are you trying to" -- you know, "Will anybody  
3 go to jail for applying for a divorce?" And he would tell me  
4 things like, "Please withdraw all the cases you have filed,"  
5 "What's going on?" And then there was a point when he came and  
6 told me that, "Mommy, you chose to have a baby and leave your  
7 career, so, you know, you chose not to make money. Now, why is  
8 it that, you know, you want money for life?" and things like  
9 that. And, you know, I just felt that it unnecessarily exposed  
10 my child to certain details which were hurting him, and he became  
11 very sort of anxious and nervous, you know, intimidated about it.  
12 Like when he goes to sleep, he will, like, express fear that one  
13 or the other parent is going to be, you know, like, going through  
14 some harm because of all of this.

15 And he was brought into a lot of other information, which I  
16 think -- I mean, I had to eventually, like, call to talk to him  
17 about these things because Prasanna started up the conversation.  
18 One of the things he would do is also, like, he would tell A [REDACTED],  
19 our child, that "I think Mommy is recording my call, and your" --

20 MR. MIN: Objection. Your Honor, I was going to wait  
21 until the end, but now she's going into what the father would  
22 tell the child. I mean, it's hearsay, unless she's saying she  
23 personally observed that.

24 A I'm there.

25 THE COURT: Just one second.

1 MR. MIN: If I may, it's turning into a narrative  
2 answer, Your Honor. She talked about statements that the child  
3 made, which is hearsay. She talked about how the child was  
4 feeling afraid, anxious, nervous, which is an improper response.  
5 So I would move to strike those portions of the response.

6 MS. SEIPEL: The statements from the child are not  
7 offered for the truth. My question was, "Why were you worried  
8 about your child being coerced?" It goes to her state of mind,  
9 the effect on listener.

10 THE COURT: And, counsel, was she present, to your  
11 knowledge, during the course of these conversations?

12 MS. SEIPEL: Yes.

13 THE COURT: I will allow the questions.

14 MS. SEIPEL: Thank you.

15 THE WITNESS: Yes.

16 Can I continue, Your Honor?

17 THE COURT: Yes, you may answer.

18 A One other thing that happened was when Prasanna called my  
19 child through my phone, he told my child that I'm recording the  
20 call between the child and Prasanna on my phone. My child came  
21 to me and asked me, "Mommy, are you recording my call with  
22 Daddy?" I mean, that's another thing that my child even relays,  
23 somebody is recording somebody else. And, you know, I actually  
24 wasn't recording the call. I showed my child all the apps that  
25 were open, and then, you know, I offered to my child that he's

1 welcome to take my phone and go into a bed and talk to Daddy in  
2 privacy.

3 But these are things that, for an eight-year-old child, I  
4 just felt -- I mean, he got exposed to all of this at that point,  
5 and it felt very inappropriate and wrong, yeah.

6 And I also now strongly think that, you know, the way  
7 Prasanna has used my child to say "Withdraw the cases against  
8 Daddy, don't take, you know, any money," I mean, the child  
9 doesn't understand that we need some money to live, right? And I  
10 have to talk to him about all of that as well.

11 So I think Prasanna might coerce my child into, you know,  
12 making sure that this divorce goes favorable to my husband, to  
13 one side, and I don't want to put my child in between all of  
14 this.

15 MR. MIN: Your Honor, can I ask for a quick voir dire on  
16 this response?

17 THE COURT: You will have the opportunity on recross,  
18 counsel.

19 MR. MIN: Well, I might make a motion to strike as  
20 outside the scope of the question, but it depends on the basis of  
21 the question -- the answer.

22 THE COURT: I will allow limited latitude, counsel.

23 MR. MIN: Okay.

24 ///

25 ///

## 1 VOIR DIRE EXAMINATION

2 BY MR. MIN:

3 Q When did this conversation occur between your husband and  
4 your child that you -- did you personally -- withdrawn.5 Did you personally hear your husband asking or telling your  
6 child that you were recording?

7 A Yes.

8 Q And then your child came to you and said "Don't record"?

9 A Yes.

10 Q When did that conversation occur?

11 A Sometime in early September when Prasanna had called through  
12 my phone. My child was sitting in the living room and talking,  
13 and Prasanna asked this. Like, you know, it was on the  
14 loudspeaker, I think, and I was coming from upstairs, and I heard  
15 this happening. Then A [REDACTED] came to me, to the staircase, and  
16 asked the question.

17 Q Before or after September 8th?

18 A Before or after September 8th?

19 Q Yeah.

20 A This is very hard. I do not really remember the date,  
21 but ...22 Q So you don't know whether it happened before or after  
23 September 8th?

24 MS. SEIPEL: Objection. Asked and answered.

25 THE COURT: Overruled.



1 A I don't remember.

2 MR. MIN: Your Honor, I would move to strike. Because,  
3 again, the question is about why she said something in a  
4 Singapore affidavit about her concern about coercion, and if  
5 she's testifying to an incident that she does not know whether  
6 that occurred before her filing, then it cannot be a basis for  
7 why she made that filing.

8 THE COURT: It goes to weight, not admissibility,  
9 counsel.

10 MR. MIN: Thank you, Your Honor.

11 THE COURT: The next question.

12 CONTINUED REDIRECT EXAMINATION

13 BY MS. SEIPEL:

14 Q Mr. Min asked you questions on cross-examination surrounding  
15 the timing of you deciding to come back to the United States. So  
16 I just want to ask you a few things about that.

17 What was the date of the incident that your husband punched  
18 you in the chest?

19 A August 31st.

20 Q In the weeks leading up to that incident, did your husband  
21 make any threats to you?

22 A On that day, yes, but not in the weeks leading up. It was  
23 more indirect.

24 Q What did he say?

25 A It came through friends and family and through my son. Like,

1 you know --

2 Q I'm going to stop you.

3 What did he say to you on that date?

4 A On that date?

5 Q On August 31st.

6 A On that date, he basically told me, you know, "I am so rich  
7 and powerful, I'm going to destroy you, you will watch this  
8 happening." And, you know, he just kind of went away. That's  
9 something that he told me directly.

10 Q What date did you discover your child's passport was gone?

11 A The subsequent day. I think the 1st of September.

12 Q What date did you discover your husband had your child's  
13 passport?

14 A On the first e-mail that I sent to him. Or even on the call.  
15 I think my mother and I, we were sitting on a call with him, and  
16 he was asked, and he said, "Yes, I have it."

17 Q Do you recall what date that happened?

18 A Probably September 1st or 2nd.

19 Q When did you file for an emergency passport for your son?

20 A Probably in that same date range, maybe like September 3rd  
21 or 4th.

22 Q What date did you file for divorce in Washington?

23 A September 6th.

24 Q When did you start getting worried about finances?

25 A I already -- on the last payment that Prasanna had made, he

1 paid me like \$5,000 on August 21st, I, you know -- and during the  
2 course of the events in that week, you know, I realized that he  
3 had decided he wanted -- you know, he's going to divorce, but he  
4 was just making use of me at that time, and I asked him if he can  
5 pay me like a year's worth of living expenses, or at least two  
6 months' worth of living expenses, and he said, "I will not pay  
7 you that because I don't want you to contact any attorneys before  
8 you sign the financial settlement," that, you know, he was  
9 proposing to me.

10 Q When did you start getting worried about your status in the  
11 country?

12 A As soon as Prasanna left and I also figured that he had my  
13 child's passport, one of the biggest worries was that if he, you  
14 know, left us or if he canceled his pass, or if he chose to  
15 cancel just my Dependent Pass, that would mean I have to leave  
16 Singapore in seven days or so, and my child is left alone with  
17 me. And, you know, I was just going through a lot of stress  
18 thinking about that.

19 So, yeah, September 1st, in that date range, I was already  
20 scared of what's going to happen.

21 Q When did you buy your plane tickets back to Washington?

22 A On October 12th.

23 Q When did you go back to Washington?

24 A On October 14th.

25 Q Did the e-mail from East Asia Law that Mr. Min showed you

1 yesterday play any role in your decision to file for divorce in  
2 Washington and return to the United States?

3 A No.

4 MR. MIN: Objection as to form, Your Honor.

5 THE COURT: Rephrase.

6 Q Was your decision to file for divorce in Washington based off  
7 of the e-mail you saw yesterday from East Asia Law?

8 MR. MIN: Objection, Your Honor. The e-mail and the  
9 date of the filing are two different dates. One does not precede  
10 the other. So the question just doesn't make any sense.

11 THE COURT: Let's clarify, counsel.

12 Q Okay. Ms. Sashidhar, I am going to show you Plaintiff's  
13 Exhibit -- Petitioner's Exhibit 75. What is the date on this  
14 e-mail?

15 A October 11th.

16 Q What date did you file for divorce in the United States?

17 A September 6th.

18 Q Mr. Min went over in depth with you the anti-suit Indian  
19 injunction order. Prior to that order being issued, did you and  
20 your husband participate in an evidentiary trial like this?

21 A No.

22 Q What is the date of that order, do you recall?

23 A December 19 or 20. I think it's 20.

24 Q When did your husband withdraw his custody petition in India?

25 A I don't know. I think he said -- I mean, he said it's

1 probably like January, early January.

2 Q To your knowledge, had he withdrawn his custody petition  
3 prior to the anti-suit injunction order on December 19th?

4 A No.

5 Q You have testified that prior to coming to the United States,  
6 you were worried about rent and bills being paid. Why were you  
7 worried about those things?

8 A I mean, I didn't have money in my own bank account to pay for  
9 them, and I tried to contact Prasanna through WhatsApp, as well  
10 as on e-mails sending him bills, and he just cut contact with us.  
11 Like he didn't really respond to whether he was going to pay or  
12 not, and I was very afraid whether he -- would he actually pay.  
13 Like there was no way for me to know about it.

14 I think his last communication with me was like  
15 September 23rd or 24th, and then he just did not respond to any  
16 of my e-mails, WhatsApp. He didn't even talk to my child after  
17 that.

18 Q At some point after your husband left Singapore, did your  
19 husband block your credit card?

20 A Yes.

21 Q What charge was blocked?

22 A I paid lawyers' fees, and that was disputed, and the credit  
23 card was blocked after that.

24 MR. MIN: Objection. Basis of knowledge then.

25 THE COURT: The first part of the witness's testimony

1 may remain, but the latter part the Court will strike.

2 Q Did you review a WhatsApp message conversation between your  
3 husband and his lawyers prior to this trial?

4 A Yes.

5 Q Are these the messages that you reviewed between your husband  
6 and his lawyers?

7 MR. MIN: Objection, Your Honor --

8 A Yes.

9 MR. MIN: -- how is this witness going to testify to  
10 messages that don't pertain to her?

11 THE COURT: Let's clarify, counsel.

12 MS. SEIPEL: For the basis of her knowledge, the  
13 objection prior was whether she had personal knowledge as to  
14 whether the credit card was blocked, and this is how she has  
15 knowledge that the credit card was blocked.

16 MR. MIN: She's relying on a hearsay statement for her  
17 basis of knowledge. That's what I'm hearing. That's not proper  
18 usage, Your Honor.

19 THE COURT: It's sustained, counsel.

20 We're almost at the noon hour. We will take a break at this  
21 time, but before we do so, counsel, how much more redirect do you  
22 contemplate?

23 MS. SEIPEL: Your Honor, admittedly, I'm a terrible  
24 estimator. An hour.

25 THE COURT: All right. Well, it's abundantly clear to

1 this Court that the parties are not going to complete this trial  
2 by the balance of today. So I'm going to give you dates that the  
3 Court will renew or continue this case, upon the finish of  
4 proceedings this afternoon at 4:30, and those dates are  
5 January 21st and January 22nd. But I expect the case to be  
6 completed no later than the 22nd. This Court has other  
7 obligations and the Court can't accommodate anything taking place  
8 next week.

9 So I'm not going to ask you to make a determination now, but  
10 I strongly suggest that you bring your calendars with you this  
11 afternoon. Whatever conflicts that you have, you should remove  
12 them and rearrange your schedules so that you can be present.

13 So with that, we will be in recess.

14 THE CLERK: All rise.

15 (Recessed.)

16 AFTERNOON SESSION

17 THE COURT: Good afternoon, again. Please be seated.

18 Counsel, you may continue your redirect examination of your  
19 client.

20 MS. SEIPEL: Thank you, Your Honor.

21 THE CLERK: We need petitioner on the camera.

22 He's on, but ...

23 MR. MIN: Can I just address him through the --

24 THE CLERK: Yeah.

25 Oh, there he is. Okay.

1 THE COURT: We're ready.

2 MS. SEIPEL: Thank you.

3 Q (By Ms. Seipel:) Ms. Sashidhar, you testified on cross-  
4 examination that you were concerned about your husband revoking  
5 your Dependent Pass in Singapore. Why were you concerned about  
6 that?

7 A He threatened me saying that he can revoke the DP at any  
8 time.

9 Q Mr. Min asked you questions on your cross-examination about  
10 you seeking between \$20,000 and \$40,000 per month in maintenance.  
11 Is that a lot of money to you?

12 A Yes.

13 Q How much money does your husband have?

14 MR. MIN: Objection. Relevance, Your Honor.

15 THE COURT: That's overruled.

16 You may answer the question.

17 Q How much money does your husband have?

18 A Around \$2 billion.

19 MR. MIN: Objection. Basis of knowledge.

20 THE COURT: That's sustained.

21 Q How do you know? Has your husband ever told you how much  
22 money he has?

23 A He has told me that he has about \$2 billion.

24 Q We have heard testimony in this trial about your husband  
25 recording you. Prior to you finding cameras in your home, did



1 your husband ever tell you that he was recording you?

2 A No.

3 Q Did your husband ever ask to record you?

4 A No.

5 Q Did your husband ever ask to record your child?

6 A No.

7 Q Did you ever agree to be recorded?

8 A No.

9 Q Did you ever agree for your child to be recorded?

10 MR. MIN: Objection --

11 A No.

12 MR. MIN: -- outside the scope of cross, Your Honor.

13 THE COURT: I believe there was some examination,  
14 counsel, about cameras, so that opened the door to an opportunity  
15 for reexamination over topics that's been covered.

16 Q Did you ever ask if -- I'm sorry. Did you ever agree for  
17 your child to be recorded?

18 A No.

19 Q Were the recording devices found in your home hidden?

20 A Yes.

21 Q How so?

22 A Some of them were like extension plug cords that he had  
23 brought in and he had put in. And then, like, there were, like,  
24 little pinholes, you know, like, with which, I think, the camera  
25 was pointing at. And then one of them was in the bathroom.

1 There's a wall plug socket, which seems to have been replaced by  
2 this hidden camera unit, which had like a little hole in it. And  
3 yeah, that's how we figured these had cameras in them.

4 Q How many cameras did you find?

5 A I remember turning in like five different such cameras to the  
6 police.

7 Q Where were those five cameras located?

8 A Two of them were in our second master bedroom, two of them  
9 were in the master bedroom, and one was in the bathroom.

10 Q When you decided to come back to the United States, did you  
11 believe your husband would be coming back to Singapore?

12 A No. I thought he had gone.

13 Q Why did you think that?

14 A I mean, he left us on August 31st, and then I saw, like,  
15 videos that his friend had posted about him traveling with the  
16 friends in Kazakhstan. And then a few weeks or days later, I  
17 received like a summons from the Indian court stating that he is  
18 now living in India and he asked for my child to be relocated to  
19 India. So I believed that he was completely gone from Singapore  
20 and he's not going to come back.

21 Q Mr. Min asked you some questions about WhatsApp messages  
22 between you and your husband, where your husband says he wants to  
23 have sex with you one time every two days. At other times, how  
24 often did your husband want sex from you?

25 MR. MIN: Objection. Leading.

1 THE COURT: That's overruled. You may answer the  
2 question.

3 A I mean, before, at least once in a day, and towards the end,  
4 like weeks leading up to August 31st, he would ask for sex even  
5 three times, four times in a day.

6 Q Are you in possession of several years of WhatsApp messages  
7 between you and your husband?

8 A Yes.

9 Q I am going to show you Exhibit 327, page 47. Are these those  
10 messages?

11 A Yes.

12 Q Where your husband says to you, "I also definitely" --

13 MR. MIN: Objection. Improper form.

14 THE COURT: Counsel?

15 MS. SEIPEL: I'll rephrase.

16 Q What does your husband say to you in this message?

17 MR. MIN: Objection as to form.

18 THE COURT: Sustained.

19 Q Did your husband say to you, "I also definitely don't want to  
20 torture you when you are in periods" --

21 MR. MIN: Objection as to form.

22 THE COURT: Counsel, what specific portion of this  
23 document are you referring to? Because I can see your highlight  
24 keeps bouncing around, so I'm not exactly sure myself.

25 MS. SEIPEL: Sorry. I will try to ...

1 Q (By Ms. Seipel:) Ms. Sashidhar, do you recall the  
2 highlighted message from your husband?

3 A Yes.

4 MS. SEIPEL: I would move to admit page 47 of 327.

5 THE COURT: Objection, counsel?

6 MR. MIN: Your Honor, just to save time, I'm not going  
7 to object, Your Honor.

8 THE COURT: All right. Please, proceed. It's admitted,  
9 unless -- counsel, you are offering the entirety of this page?

10 MS. SEIPEL: Yes.

11 THE COURT: All right. There being no objection,  
12 page 47 of Exhibit 327 is admitted.

13 (Exhibit No. 327, page 47, admitted.)

14 Q At times throughout your marriage, was your husband a good  
15 father?

16 A There were times when he would, like, play with my child,  
17 yes, do some things with my child.

18 Q Was he a good father when he pinched your child?

19 A No.

20 Q Was he a good father when he hit your child?

21 A No.

22 MR. MIN: Objection.

23 THE COURT: Sustained.

24 MS. SEIPEL: I have nothing further.

25 THE COURT: Does that complete your redirect

1 examination?

2 MS. SEIPEL: Yes, Your Honor.

3 THE COURT: Counsel, any further cross-examination?

4 MR. MIN: Very brief, Your Honor.

5 RECCROSS-EXAMINATION

6 BY MR. MIN:

7 Q You had testified on redirect that on August 31st, 2024, your  
8 husband had made threats to you, correct?

9 A Yes.

10 Q What threats were those?

11 A One of them I remember very clearly was him saying, "I have a  
12 lot of money and power and I'm going to destroy you." That's  
13 something he said. And, yeah. I mean, I remember him saying  
14 that he can revoke our Dependent Passes at any time, but I'm not  
15 able to clearly remember if that's on that date it happened.

16 Q Any other threats from that day, do you recall?

17 A Not anything else from that day.

18 Q And when asked by your lawyer leading up to August 31st,  
19 whether he made threats to you, you responded, "On that date,  
20 yes, but not weeks leading up to that." Do you recall that  
21 testimony?

22 A I don't recall it.

23 Q So in the weeks leading up to August 31st, did he make  
24 threats to you?

25 A He did.

1 Q You've also said -- when asked "What did he say," you said it  
2 came through family and friends. Do you recall that testimony?

3 A I think I said after August 31st, he came through family and  
4 friends, if I remember correctly. Because the weeks leading up  
5 to the 31st, he was with me and he was talking directly to me.

6 MR. MIN: One second, Your Honor.

7 Your Honor, no further questions.

8 THE COURT: Okay. Anything further, counsel?

9 MS. SEIPEL: Nothing further, Your Honor.

10 THE COURT: All right. You may step down.

11 Counsel, your next witness.

12 MS. SKINNER: Call the petitioner to the stand.

13 THE COURT: The witness has not been excused. I don't  
14 believe there's a necessity for him to be resworn.

15 Counsel, do you believe your client needs to be resworn  
16 testifying on behalf of the respondent?

17 MR. MIN: I don't believe so, Your Honor.

18 THE COURT: Counsel for the petitioner {sic}, do you  
19 believe he needs to be resworn?

20 MS. SKINNER: No, Your Honor.

21 THE COURT: All right. Let's proceed.

22 MS. SKINNER: Thank you, Your Honor.

23 PRASANNA SANKARANARAYANAN,  
24 previously sworn, resumed and testified as follows:

25 ///

## 1 DIRECT EXAMINATION

2 BY MS. SKINNER:

3 Q Have you heard the audio recording that was played for the  
4 respondent earlier today?

5 A Yes.

6 Q Who captured that audio?

7 A A recording device that I placed in the house.

8 Q When?

9 A I believe mid to late August.

10 Q Is that audio part of the allegations of the crime to which  
11 you are alleged to have committed in Singapore?

12 A I believe the crime is voyeurism. It is related to.

13 Q So what's your understanding of what the alleged crime was  
14 that you were charged -- or that you were alleged to have  
15 committed?16 A The allegation was I had compromising pictures and videos of  
17 her, which I threatened her with.

18 Q And you received a conditional warning for that allegation?

19 A Yes.

20 Q Did you tell your wife you were recording her?

21 A No.

22 Q And did you hide the recording devices in the home?

23 A Yes.

24 Q Did you pay someone to install those?

25 A Yes.

1 Q Who?

2 A The landlord's contractor.

3 Q What's their name?

4 A I don't remember.

5 Q How did you pay them?

6 A I think through my real estate agent.

7 Q When did you hire that person to install the cameras?

8 A A few days before we moved in. Sometime mid-August, mid to  
9 late August.

10 Q How long were they in the home?

11 A I believe we moved in sometime around August 22nd, and I left  
12 the home on September -- on August 31st. So probably like a  
13 week.

14 Q The recording devices were in the home for one week; is that  
15 your testimony?

16 A The recording devices were in the home till whatever time my  
17 wife took them out. But the recording I could access was within  
18 a week.

19 Q So were you able to access recordings for the week period of  
20 when you moved in the home until you left the home on  
21 August 31st?

22 A Yes.

23 Q How were those stored?

24 A They were stored on the local device, the recording device.

25 Q Did you extract the data at any point from the local device?



1 A Only certain clips.

2 Q Can you please repeat your answer?

3 A Only certain clips.

4 Q How were you able to review what clips you extracted?

5 A There is an app you go into to access the camera.

6 Q So is the data stored within the local device but you can  
7 access the data as well from a remote device?

8 A You can access -- you can connect the remote device through  
9 the Wi-Fi.

10 Q Did you store any of the data outside of the local device at  
11 any time?

12 A Yes. I downloaded certain clips to my phone.

13 Q How did you decide which clips to download?

14 A I went to points that my wife and her mother were having  
15 conversations.

16 Q How many clips did you save and download?

17 A I don't remember the exact number. But one of the clips I  
18 saved and downloaded, I have provided it to you in discovery.

19 Q Did you destroy any clips after downloading them?

20 A When the police seized my phone, after the investigation,  
21 they did get destroyed, but -- and they destroyed my phone. But  
22 I had given these to my lawyers earlier, so I was able to provide  
23 that copy.

24 Q When did the police destroy your phone?

25 A I'm not sure of the exact date, but sometime in November, I

1 think.

2 Q So between the time that you downloaded the certain clips and  
3 the police destroying your phone, other than your lawyer, who  
4 else did you give the clips to?

5 A I think possibly my brother and -- and his personal  
6 assistant.

7 Q Why?

8 A They helped -- the personal assistant helped transcribe some  
9 clips for my lawyers.

10 Q Did you instruct your brother to destroy the clips at any  
11 time?

12 A Yes. I told him not to hold copies of those, that is, like,  
13 legal material. After -- you know, after transcription, it just  
14 goes to my lawyers.

15 Q Then did you tell the personal assistant to destroy the clips  
16 after they had transcribed them?

17 A I don't know if I directly interacted with him or not. Maybe  
18 not.

19 Q Did you file India legal proceedings at the beginning of  
20 September?

21 A Yes.

22 Q And on September 24th, did you file a declaration with the  
23 Indian court?

24 A Possibly.

25 Q On September 24th, was your child with Ms. Sashidhar in

1 Singapore?

2 A Yes.

3 Q What concerns about your child's well-being in  
4 Ms. Sashidhar's care did you mention in your filing?

5 A I don't remember.

6 Q I would like to show you Exhibit 335, page 5. Please read  
7 paragraphs 10 and 11 and let me know if that refreshes your  
8 recollection about what concerns you mentioned about your child's  
9 well-being while in the care of his mother.

10 A Yes.

11 Q Okay. What concerns did you describe in the Indian court  
12 filings in September 2024 about the well-being of your child  
13 while in the care of his mother?

14 A I described that the mother is not mentally stable, and I was  
15 concerned about the child's well-being.

16 Q Okay. Did you say that Ms. Sashidhar had repeatedly  
17 neglected the basic needs of your son?

18 A Yes.

19 Q And neglected proper nutrition for your son?

20 A Yes.

21 Q And neglected your son's healthcare?

22 A Yes.

23 Q And neglected your son's education?

24 A Yes.

25 Q And did you indicate that you have serious concerns regarding

1 the physical health of your son if he's left under your wife's  
2 care?

3 A I said --

4 THE COURT REPORTER: I'm sorry. Can he repeat that?

5 Q Can you please repeat your answer?

6 A I said physical and mental health.

7 Q I was going to ask it one at a time. So you had serious  
8 concerns regarding the physical and mental health of your son if  
9 left under your wife's care, that's what you stated in this  
10 declaration?

11 A Yes.

12 Q And I would like to show you page 13 -- or, excuse me, the  
13 following -- yes, page 13, paragraph 43.

14 Did you indicate to the Indian court that you believed there  
15 was a high risk that your son would be subject to harmful  
16 experiences if continued to be left in Ms. Sashidhar's care?

17 MR. MIN: Objection, Your Honor. This seems like  
18 custody issues to me. I mean, this Court is not determining  
19 which parent is in the best position to be the primary caretaker  
20 for this child. So I'm not entirely sure of the relevance of  
21 this line of questioning.

22 THE COURT: It's overruled, counsel.

23 A Would you able to read the entire sentence instead of picking  
24 only the parts that you like?

25 Q Excuse me?

1 A Can you please -- I mean, I feel like you are picking certain  
2 parts and, like, cherry-picking.

3 Can you read the entire sentence, please? If you want to ask  
4 me on a statement, can you read the entire statement?

5 Q You can answer my question. Did you indicate to the Indian  
6 court that there would be a high risk that your child would be  
7 subject to harmful experiences if left under the care of your  
8 wife?

9 A Yes, due to her unstable mental and emotional state. Yes.

10 Q And due to her neglect of your child, as you alleged, right?

11 A Yes.

12 Q In September, did you return to Singapore at any time that  
13 month?

14 A No.

15 Q Why didn't you go to Singapore to file for emergency relief  
16 to remove your son from his mother's care?

17 A I was occupied with, like, many things in September, which I  
18 explained to you. If you want me to repeat and go through all of  
19 them, I'm happy to.

20 Q No, that's fine. You were occupied.

21 So during the month of September, for a period of time, you  
22 were in Kazakhstan, weren't you?

23 A Yes.

24 Q You were there with a friends' trip?

25 A Yes.

1 Q Were you having fun?

2 MR. MIN: Objection.

3 A Yes.

4 THE COURT: Sustained.

5 Q Did you go to a dance club?

6 MR. MIN: Objection.

7 THE COURT: Sustained.

8 Q Was the activities that you were doing in Kazakhstan one of  
9 the activities you indicate why you were occupied during the  
10 month of September and did not return to Singapore to file court  
11 emergency relief for your son?

12 MR. MIN: Objection.

13 THE COURT: That's overruled.

14 You may answer that question.

15 A So I was talking to my lawyers about custody stuff. I was  
16 starting to engage counsel and I was talking --

17 MR. MIN: Objection.

18 A -- you know, I was trying to figure out a plan.

19 MR. MIN: I would instruct the witness not to talk about  
20 anything privileged.

21 THE COURT: That's sustained.

22 Q So then I will repeat my question. I'm not asking for  
23 anything you discussed with your lawyers or strategy between your  
24 lawyers.

25 My question was, was your trip to Kazakhstan one of the

1 things you were occupied with that you indicate precluded you  
2 from going to Singapore to seek relief for your son?

3 A I was trying to seek relief for my son. I didn't need to go  
4 to Singapore. Like I challenge the surmise of your question,  
5 that I had to go to Singapore to seek relief for my son. I was  
6 seeking relief for my son.

7 Q Okay.

8 MS. SKINNER: I don't have any further questions of this  
9 witness.

10 THE COURT: Cross-examination.

11 MR. MIN: Thank you, Your Honor.

12 CROSS-EXAMINATION

13 BY MR. MIN:

14 Q The recording that counsel just asked you about, do you  
15 recall what your wife said on that recording that she listened to  
16 earlier?

17 A Yes.

18 Q What did she say?

19 A She said to her mom that she would like to strangle me and  
20 kill me, and she continued, if she gets a chance, she would  
21 definitely do it.

22 Q Definitely do what?

23 A Strangle me and kill me.

24 Q Did she say any other threatening things to her mother that  
25 you were made aware of?

1 A I don't recall right now.

2 Q Okay. What concerns did you have about the child being left  
3 in the care of your wife when you filed in the fall of 2024 for  
4 custody?

5 MS. SKINNER: Objection. Asked and answered.

6 THE COURT: It was covered on cross -- it was covered on  
7 your examination, counsel.

8 MS. SKINNER: And the same question is now being asked.

9 THE COURT: I understand that.

10 MS. SKINNER: Thank you.

11 THE COURT: You may answer the question, sir.

12 A So my wife was in a state of severe lupus, and she was  
13 climbing up and she was unstable. In the last week, before I  
14 left, I was the caregiver for my child. I told my wife to sleep  
15 in, to relax. I woke up and I took care of my child.

16 And after I left, other family members told some of my family  
17 members that she's on the highest dose of medication for lupus.  
18 And my driver told me that my son, who's usually very cheerful --

19 MS. SKINNER: Objection if he's testifying as to what  
20 the driver said.

21 THE COURT: Sustained.

22 Q Let's talk about your concerns that you had at this time.

23 A My concerns -- my concern was my child was not getting the  
24 care that I was providing him, and I was providing him the care  
25 most of the last few week -- the last two weeks before I left



1 because my wife was unwell. And my concern was my wife was very  
2 volatile, and I felt that my son was not getting parental  
3 attention and time.

4 MR. MIN: One second, Your Honor.

5 A I --

6 THE COURT: Sir, there's no question before you.

7 THE WITNESS: Okay.

8 MR. MIN: Nothing further, Your Honor.

9 THE COURT: Anything further, counsel? Anything  
10 further?

11 MS. SKINNER: Yes, Your Honor.

12 REDIRECT EXAMINATION

13 BY MS. SKINNER:

14 Q You were so concerned that your son wasn't getting the care  
15 that he needed, yet you continued to party in Kazakhstan, right?

16 MR. MIN: Objection. Argumentative.

17 THE COURT: Sustained.

18 MS. SKINNER: I don't have any questions, Your Honor.  
19 Thank you.

20 THE COURT: All right. Your next witness.

21 MS. SEIPEL: Your Honor, our next witness will be  
22 Dr. Landon Poppleton.

23 I really apologize for this. I have lost a contact, and I  
24 cannot see. So our hotel is right across the street. I have to  
25 ask for permission to go get a contact because I cannot see.

1 THE COURT: Do you have any glasses, counsel?

2 MS. SEIPEL: At my hotel.

3 THE COURT: Are your glasses for close-up viewing?

4 MS. SEIPEL: I'm sorry. Say that again.

5 THE COURT: Is your vision close vision or distance  
6 vision? In other words, I'm asking -- you have co-counsel there,  
7 she's wearing glasses -- can you borrow her glasses?

8 MS. SEIPEL: Oh. Maybe.

9 No. I'm sorry. I -- yeah, I can't see.

10 THE COURT: All right. Let's take a short recess.

11 MS. SKINNER: Thank you, Your Honor.

12 (Recessed.)

13 THE COURT: Please be seated.

14 Counsel, you are back and ready to go?

15 MS. SEIPEL: Thank you, Your Honor. I apologize again.

16 THE COURT: Okay.

17 MR. MIN: Your Honor, before respondent calls their next  
18 witness, can we just address an evidentiary issue quickly?

19 THE COURT: Certainly.

20 MR. MIN: Thank you.

21 Your Honor, at the pretrial phase, Your Honor made some  
22 evidentiary rulings on the objections. Both sides had objected  
23 to the other side's expert reports. Your Honor had ruled that  
24 Dr. Poppleton's report would come in but not Dr. Favaro's or  
25 Dr. Day's.

1 We had conferred after additional filings over the weekend  
2 with opposing counsel, and, yesterday, in addition to the  
3 redactions made over the weekend, they had requested one  
4 additional sentence be redacted from his report to signify what  
5 the scope of his testimony would be at trial. We have agreed,  
6 and that issue should be put to bed.

7 But in light of that, I'm not sure why Dr. Poppleton's report  
8 would be admitted into evidence and not Dr. Favaro's albeit  
9 redacted version, which would be his anticipated testimony, and  
10 Dr. Day's report, Your Honor. And I -- oh, yes.

11 THE COURT: When those rulings were made, counsel, there  
12 was a question of whether or not your expert was going to testify  
13 as part of your case-in-chief. I believe you have changed your  
14 strategy so that your expert was going to testify as part of your  
15 rebuttal case.

16 MR. MIN: Yes.

17 THE COURT: Is that correct?

18 MR. MIN: It wasn't a change of strategy. It was always  
19 for rebuttal purposes. I mean, at the end of the day, the expert  
20 report is only on the affirmative defenses. So the content of  
21 the report has nothing to do with habitual residence or anything  
22 that's our burden to carry. It's in response to the affirmative  
23 defenses the respondent has a burden to carry.

24 So, I mean, the anticipation was always to call Dr. Favaro  
25 as rebuttal to Dr. Poppleton. I will note, and this is my

1 understanding of psychological ethical guidelines, is that the  
2 reason we have both Dr. Day and Dr. Favaro is Dr. Day, as we've  
3 put in our opp to the motion in limine, is focused on  
4 methodology. She did not evaluate the child or meet with the  
5 child. Dr. Favaro is focused on the observations and evaluation  
6 of the child insofar -- as much as to rebut Dr. Poppleton's  
7 evaluation and observations of the child. So they serve two  
8 purposes.

9 Again, our anticipation is that, and expectation, is that  
10 they will both testify after Dr. Poppleton's testimony, not  
11 implying directly after, but once he's finished his testimony, to  
12 rebut his reported testimony.

13 And, again, I would ask that their reports, to the extent  
14 that Dr. Poppleton's is being admitted, would also be admitted as  
15 well into evidence.

16 THE COURT: Counsel, any concern?

17 MS. SEIPEL: Yes, Your Honor.

18 I guess, first and foremost, I'm not entirely sure why we are  
19 addressing this at this juncture, being that we are not about to  
20 call their expert witnesses.

21 That being said, since we are, we had previously, prior to  
22 this trial, filed a supplemental motion in limine to exclude  
23 Dr. Favaro, petitioner filed a response to that, and Your Honor  
24 instructed the parties to go confer regarding the scope of his  
25 testimony.

1 I do not believe that the Court made a ruling on our  
2 supplemental motion in limine, and I would ask for a ruling on  
3 our supplemental and reiterate that Dr. Favaro says here, in his  
4 own report, "My conclusion is that, for these reasons, I did not  
5 rely on Dr. Poppleton's report to any large extent in my own  
6 opinion formulation." That is the definition of initial expert  
7 independent opinions. And it's improper rebuttal.

8 So I would renew our supplemental motion in limine asking  
9 that he be excluded in his entirety and ask for a ruling on that.

10 THE COURT: Counsel, have the parties engaged in efforts  
11 to address the Court's determination earlier in this proceeding  
12 regarding what would be true rebuttal testimony? I think that  
13 was a charge to the parties. Have you met and conferred for that  
14 to be resolved?

15 MR. MIN: Yes, Your Honor. Again, and this is what I  
16 stated, I'm a bit confused because we met and conferred  
17 yesterday, and the request from respondent's counsel was to  
18 redact one further sentence. We got an e-mail clarifying  
19 yesterday evening, saying we've agreed -- quote, "but we've  
20 agreed to the content of Dr. Favaro's testimony to include the  
21 unhighlighted portions of the report you provided us with over  
22 the weekend and filed with the Court on Sunday, with the  
23 exception of the one sentence in Section 3 reading 'My suspicion  
24 is that she did not get the audio quality she was looking for in  
25 the prior session.'" And this was what was discussed at the

1 meet-and-confer.

2 So counsel has represented, both orally and in writing in  
3 their e-mail, that we agree with what we filed -- or what was  
4 filed over the weekend that was redacted by us as potentially  
5 improper rebuttal, and they added one sentence that they wanted  
6 to add to that for redaction, and they stated that "We have  
7 agreed to the content of Dr. Favaro's testimony to include the  
8 unhighlighted portions."

9 So I'm not entirely sure -- they're saying they're renewing a  
10 motion in limine when they're agreeing to his testimony except  
11 for the stricken portions of his report.

12 MS. SEIPEL: I am agreeing to his testimony except for  
13 the stricken -- the redacted portions of his report, following  
14 Your Honor's instruction for the parties to confer. That was  
15 done. Should the Court allow Dr. Favaro to testify, that is what  
16 we agree to.

17 But prior to that, I would respectfully request a ruling on  
18 our motion in limine. It is improper rebuttal testimony.

19 THE COURT: Well, counsel, the Court's expectation is  
20 that you were going to provide the Court with the results of your  
21 meet-and-confer.

22 MR. MIN: We actually asked for that, and the respondent  
23 responded saying that we did not agree for that to be filed with  
24 the Court. Filing, perhaps, was a little bit too far. So we  
25 agreed, fine, we're agreeing to not filing it with the Court. We

1 did redact it with black redactions.

2 THE COURT: Counsel, slow down.

3 MR. MIN: We did redact it with black redactions and we  
4 e-mailed it to counsel last night with, instead of highlighted  
5 redactions, actual black bars. So that has been e-mailed to  
6 respondent's counsel last night.

7 And including the one additional sentence they wanted, we're  
8 fine e-mailing that to the Court, or however the Court wants to  
9 proceed in providing hard copies.

10 But that was our agreement as to the limitations of his  
11 report. And my understanding was Your Honor ruled on the motion  
12 in limine, saying to further meet and confer and to come to an  
13 agreement, and we have.

14 THE COURT: Well, counsel, I'm not going to get into  
15 what you engaged in by way of discussions. You are making  
16 certain representations of what took place. Counsel is making a  
17 different representation.

18 I'm going to direct you after today's proceedings to meet and  
19 confer and give me a copy, a hard copy, so that I can see exactly  
20 what the redactions are.

21 And, counsel, if you've made representations to counsel as  
22 the proceeding has been going forward of an agreement to the  
23 admissibility, you can't come in, lay in the weeds, and then  
24 change your strategy when your witness is about to be called. So  
25 if you make a concession and make an agreement, I expect you to

1 abide by and comply with the terms of that commitment.

2 MS. SEIPEL: Absolutely, Your Honor.

3 THE COURT: Okay. Then let's call your witness.

4 MR. MIN: Your Honor, just on the issue of the  
5 admissibility, again, we don't take issue with the reports in  
6 general, to the extent that they're within the confines of  
7 rebuttal, to come in, because I do think it would speed up direct  
8 testimony. Because if Your Honor has copies of the report that  
9 are in evidence, then we don't need to necessarily ask cumulative  
10 questions on direct. And that's the reason that I think all the  
11 reports should come in, to the extent that the redactions are  
12 proper with Dr. Favaro's report, Your Honor.

13 THE COURT: Counsel?

14 MS. SEIPEL: I think Mr. Min can make a motion for  
15 admission of his expert's report, should this Court allow the  
16 expert to testify, and I will address it at that time.

17 I don't -- my position at this time is that Dr. Favaro should  
18 be excluded, and I will read the e-mail that I sent to counsel  
19 last night.

20 Michael and I discussed and agreed to the content of  
21 Dr. Favaro's testimony, not his report and not you filing the  
22 report with the Court.

23 So again, I will reiterate, that I conferred with counsel,  
24 following this Court's instruction, but I specifically also  
25 represented to them that I am reserving our right to ask for a



1 ruling on this motion.

2 THE COURT: Did you make any affirmative representations  
3 to counsel that would indicate that you were in agreement to  
4 allow a report to come in as redacted? Was that a commitment  
5 that you made to counsel?

6 MS. SEIPEL: No. I specifically said we do not agree to  
7 his report, and Mr. Banuchis responded, "You're right, Katrina."

8 MR. MIN: For the filing, specifically.

9 And I would appreciate it if counsel finished the sentence in  
10 the e-mail. It was about filing the report with the Court, and  
11 Mr. Banuchis's wrote "You're right, Katrina," as to filing.

12 Again, the verbatim word is "We've agreed to the content of  
13 Dr. Favaro's testimony to include the unhighlighted portions of  
14 the report you provided us with over the weekend and filed with  
15 the Court on Sunday, with the exception of the one sentence,"  
16 which I then quoted before. They are agreeing to his testimony.

17 If they're agreeing to his testimony, what I'm confused about  
18 is, why wouldn't his report, which we met and conferred on and  
19 redacted that additional sentence, also come in? That's the  
20 added step that I feel like there's some confusion about. If  
21 he's testifying, then why wouldn't his report come in, just as  
22 Dr. Poppleton is testifying and his report is coming in?

23 THE COURT: Is there anything more in his testimony that  
24 you plan on extracting beyond what's contained in the report?

25 MR. MIN: Your Honor, the simple answer to that is it

1 depends on what Dr. Poppleton testifies to. Because his -- the  
2 reports are, of course, advance notice of your anticipated  
3 testimony, but, of course, Dr. Poppleton, if he says something  
4 that's not in his report, then we would want to be free to  
5 explore that with any rebuttal testimony. So I want to say, I  
6 don't anticipate that, but it depends on what Dr. Poppleton's  
7 testimony is.

8 THE COURT: All right. Let's hear Dr. Poppleton's  
9 testimony, counsel.

10 MS. SEIPEL: Thank you, Your Honor. I will call  
11 Dr. Poppleton to the stand.

12 THE COURT: Please step forward, sir.

13 THE CLERK: Please raise your right hand.

14 LANDON POPPLETON,  
15 having been sworn under oath, testified as follows:

16 THE CLERK: Okay. Please have a seat.

17 THE WITNESS: Thank you. Is there some water up here?

18 THE CLERK: There is water up here.

19 THE WITNESS: Okay. Thanks.

20 THE CLERK: If you could please state your first and  
21 last names and spell your last name for the record.

22 THE WITNESS: Yes. Landon Poppleton, P-o-p-p-l-e-t-o-n.

23 THE COURT: You may inquire.

24 MS. SEIPEL: Thank you, Your Honor.

25 DIRECT EXAMINATION

1 BY MS. SEIPEL:

2 Q Dr. Poppleton, how are you employed?

3 A As a psychologist.

4 Q What was your education and training?

5 A My -- I will just go with graduate training -- or education,  
6 but I have a Ph.D. in clinical psychology. I completed that in,  
7 I believe, 2008. I ended up going back and getting a J.D. later.  
8 But, as well, I was in private practice already. I completed a  
9 J.D., I think it was 2016.

10 And then most of my experience and then my early training,  
11 while I was a graduate student, was in cases that was kind of the  
12 interplay between families and child, you know, development and  
13 needs and family law.

14 Q How long have you been employed in this capacity?

15 A Well, I started in private practice in 2009, if my memory  
16 serves me right.

17 Q What does your current practice involve?

18 A Most of it is in that interplay between psychology and family  
19 or domestic relations cases. So it includes just doing family  
20 studies. I do a lot of consultation. I will do some court  
21 education on things. I will do some case management. They call  
22 it like "parenting coordination." I do some of that. I have  
23 done some family therapy in that. It's really just a variety of  
24 things within that context.

25 Q How many family evaluations have you done?

1 A Oh, heavens, sometimes they're narrowly focused, sometimes  
2 they're fairly broad with ultimate issue opinions and  
3 recommendations. But it's probably 400, around there.

4 Q Have you completed risk assessments in the course of your  
5 career?

6 A Yeah. Yeah, they come up. Sometimes they're just individual  
7 evaluations of a person for some -- most often, it's going to be  
8 risk of child abuse or domestic violence.

9 Q Have you published any works?

10 A Not since graduate school. You know, other than -- and as  
11 far as peer-reviewed work, there was, I think, probably two when  
12 I was a graduate student. It's on my CV. But it's been a long  
13 time.

14 Q I am going to show you Exhibit 301.

15 A Okay. I see it. Thank you.

16 Q Is this a copy of your CV?

17 A Yeah. I mean, I think it could probably be updated a little  
18 bit, but it should be pretty accurate as of the date at the  
19 bottom on the first page. I think we identified one thing I  
20 should change in it during my deposition.

21 MS. SEIPEL: At this time, I would ask to qualify  
22 Dr. Poppleton as an expert in the intersections between child  
23 development, families, and the law.

24 THE COURT: I trust there's no objection to that  
25 determination?

1 MR. MIN: Can I get the offer again, child  
2 development --

3 MS. SEIPEL: -- families, and the law.

4 MR. MIN: Well, I would dispute qualifications as an  
5 expert in anything dealing with the law. I don't think that this  
6 witness has been qualified as some sort of legal expert.

7 I have no issue with qualifications of child development and  
8 families, although I'm not entirely sure that that's relevant to  
9 these proceedings. But I have no objection to that.

10 THE COURT: All right. I will qualify him as an expert  
11 but not regarding law. You haven't established that proficiency.

12 MS. SEIPEL: Okay.

13 Q Dr. Poppleton, is your title a "forensic psychologist" or a  
14 "psychologist"?

15 A It's technically a psychologist, but what happens is when you  
16 do work in the court, you fall within that umbrella, so you end  
17 up kind of operating within a forensic role when you are here to  
18 serve a trier of fact or a judge.

19 Q Have you testified in court before?

20 A I have, yeah.

21 Q How many times?

22 A Many times over the years. Quite a few.

23 THE COURT: Counsel, I'm qualifying him as an expert,  
24 but the limitation is just in the component of the area of law.  
25 So I'm not sure if you are trying to establish a foundation for

1 his qualifications for the other areas, because if you are,  
2 that's already been addressed and determined by the Court.

3 MS. SEIPEL: Okay. I will move on. Thank you, Your  
4 Honor.

5 Q Dr. Poppleton, what role have you had in this case?

6 A You brought me on as a consultant, you know, in aid of you,  
7 and so my -- it was, really, you asked me to meet with your  
8 client and the child and provide some information that might  
9 serve to be helpful to the Court around some of the particular  
10 issues that are playing out.

11 Q What issues were you analyzing?

12 A The two things you asked me to meet with them about had to do  
13 with the grave risk of harm under Hague, and the other one had to  
14 do with the kind of maturity and objection of a child.

15 Q What actions have you taken in order to complete your role in  
16 this case?

17 A Fairly limited. I met with, I think, Mom in the case -- is  
18 it okay? I kind of refer to them as "Mom" and "Dad" to  
19 facilitate communication -- but Mom in the case twice. I think I  
20 met with the child as well, off my memory, twice as well. And  
21 some documentation was provided to me that that I looked through.  
22 I don't know how helpful that was. And then I just wrote up a  
23 letter, you know, just outlining some of the history that was  
24 provided to me and then what that might mean in terms of the  
25 questions that are before the Court, if the reliability of the

1 information that was provided to me is established to be true.

2 Q I am going to show you Exhibit 302. Is this letter report  
3 dated December 8th, 2024, the report that you just mentioned?

4 A Yeah. I mean, I wrote it up in a letter. I think it's  
5 probably most appropriate that it is in that format. But, yeah,  
6 that is the summary of what I wrote up.

7 Q You mentioned "reliability." Can you talk a little bit about  
8 the limitations on your role in this matter?

9 A Yeah. I think they're fairly obvious, when you look at the  
10 letter I wrote. But when you meet with one person, you have some  
11 issues right off the bat, and that has to do with can you  
12 establish the reliability of the claims and assertions that are  
13 being made. And so in any evaluation, you'll have, typically,  
14 methods that you employ, and then those methods are going to lend  
15 themselves to the reliability of any particular finding.

16 So, for example, in this particular case, you might have a  
17 claim in the case that this is a domestic violence case. Well,  
18 when you meet with one side and it's fairly unbalanced, you can  
19 have some difficulties in determining how reliable that  
20 information is, and it can be difficult, at that, to entertain  
21 alternative hypotheses. So I think you could wax philosophically  
22 about them all day, but it's difficult to know what would be an  
23 alternative, relevant, rival hypotheses, with the emphasis on  
24 "relevant," without getting a bigger picture of the case.

25 So, typically, in a typical matter, where there's a larger

1 family study that's done and you have access to -- under,  
2 usually, a court order, where both were going to participate and  
3 you have time to do this, you can address the issue through  
4 multiple and varied methods of assessment, come to reliable  
5 findings, and then have, from that, a proffered opinion about the  
6 ultimate issue -- psychologists do that all the time -- so you  
7 can provide actually an opinion on the matter.

8 Without that, you have issues around the potential findings,  
9 and so that you are just -- you just, maybe at the end, are  
10 trying to identify what might be relevant and then what might be  
11 helpful to the Court to understand about the issue, but not  
12 really be able to provide any opinion about the matter because  
13 you don't know -- you don't know how reliable -- you don't have  
14 reliable findings.

15 Q Now, transitioning a little bit, I first want to talk about  
16 your assessment of grave risk of harm.

17 A Sure.

18 Q What is your understanding of what is meant by grave risk of  
19 exposure to harm or intolerable situation under the Hague  
20 Convention?

21 MR. MIN: Objection. His understanding of a legal term  
22 of art is irrelevant, Your Honor.

23 THE COURT: That's overruled.

24 You may answer the question.

25 A It's a good question. It's where you run into some



1 difficulties. But, typically, it's going to be fact driven by  
2 what the family is bringing to the table. So you have to take a  
3 family where they're at. The number of permutations that can  
4 develop out of a family system is really quite large.

5 So in this particular case, my understanding of it and what  
6 was brought to me by your client, was assertions and claims of a  
7 pattern of domestic violence that's of the coercive-control type.  
8 And so that would be maybe a label to place on it.

9 And maybe I will stop answering the question there because I  
10 could certainly go out on a limb.

11 Q Okay. So you mentioned domestic violence, so let's just  
12 start there. How is domestic violence defined?

13 A It's typically -- it's hard to know where to start with this  
14 one too. There's typically behavior of one oriented towards the  
15 other that has some sort of physical, psychological, or sexual  
16 harm.

17 There's different typologies of domestic violence too,  
18 however. One typology of domestic violence has to do with power  
19 and control. Typically, under that one, the underlying agenda is  
20 related to domination or control of another person. And then  
21 there's often, when you are looking at the construct and trying  
22 to cover that construct in full, there's a host of tactics that  
23 are often employed to be able to really control another  
24 individual. And those tactics can fall in domains related to --  
25 probably, more frequently, they're related to emotional abuse,

1 belittlement, dehumanizing, threatening, use of children,  
2 economic abuse. Often it's male to female, so you will get this  
3 air of male superiority or king-of-the-castle phenomena geared  
4 towards controlling another individual.

5 And then beyond that, in more extreme cases, you will get  
6 physical and you will get sexual violence that is often to help  
7 aid in that control of another individual.

8 And that's just -- that was what your client, at least,  
9 asserts and presents.

10 Q You mentioned just now coercive control. Is there a specific  
11 definition for coercion and control in your line of practice?

12 A Well, I thought I gave a decent one right there. It was  
13 maybe a little verbose and I apologize about it.

14 Q Let me rephrase.

15 A Yeah.

16 Q What are specific examples of coercive control?

17 A Yeah. And, again, they come down into the tactics that are  
18 used. So that's what I was trying to do my best to explain.  
19 But, again, they could be things like physical assault or sexual  
20 assaults. There could be withholding access to finances or using  
21 finances to unsettle or to control another individual. You can  
22 get the use of children in there too. It could be threats to a  
23 child. It could also be an attempt to try to gain the  
24 affiliation of a child to you against the other parent. That's  
25 another one that can come up in cases. Threats are often there.

1 There's an air of contempt that can exist in those cases as well.  
2 But there's usually just kind of a host of strategies that are  
3 looked at. Isolation is another one. Just off the top of my  
4 head, I kind of just listed, in testimony, and thinking about  
5 that one. That one, I didn't think about that much before. But  
6 isolating from family, friends, community, can be something as  
7 well. So there's just a host of tactics. That's often how it  
8 looks.

9 There's usually an impact that that can have, too, on a  
10 parent as well who's subject to that, if it's indeed what's going  
11 on.

12 Q Did you learn about any course of controlling behaviors in  
13 the course of your work on this case?

14 A Well, you know, all I know is what Mother reports, right, and  
15 those are uncorroborated. And, typically, just to reiterate  
16 this, they typically should be reviewed with both sides, and if  
17 you can't do it as a psychologist, then it usually happens  
18 through the examination process in some way. So I wouldn't know  
19 how reliable they are. But Mother did report multiple things  
20 related to that issue.

21 Q What effects does coercive control have on victims?

22 A Well, so when you are dealing with it in a family -- you  
23 know, a family law matter, for example, or even outside of family  
24 law, it could be -- I don't know why there would be any  
25 distinction -- but it can have a big impact on the family system.

1 And so family systems typically are commissioned, I think, just  
2 by their inherent nature, to support children where they exist in  
3 their healthy development. And so it can have an impact on the  
4 family system's ability to function in that role, to support  
5 children towards healthy growth and development. It can have an  
6 impact related to that in various ways. It can impact parenting,  
7 in a parent's ability to do the job. It can actually contribute  
8 sometimes to -- and these are just things that would be on the  
9 scope of investigation -- maybe harsh parenting. It can  
10 contribute -- in victims, they can come across looking harsh in  
11 their parenting. Sometimes it can impact their capacity due to  
12 the depression and anxiety it can create. Depression is a good  
13 example of a reasonable causal factor to a parent not having the  
14 capacity to really be mindful enough for a child to support them  
15 and meet their developmental needs often in their day-to-day  
16 lives. It can create an atmosphere of fear. Certainly, that's  
17 like from a parent's perspective, a parent who is the subject to  
18 the violence. It could certainly result in mood disorder,  
19 anxiety disorder. There's trauma and stressor-related disorders  
20 that can contribute to as well, like post-traumatic stress, if  
21 it's severe enough and impactful enough. It can cause a parent  
22 to question their own perception of reality. And that's another  
23 impact that that can have on a parent.

24 And that's just the parent. That doesn't even get to the  
25 child yet or a child who might be raised in that kind of

1 environment.

2 Q So let's talk about the children. What effects could  
3 domestic violence and coercion and control have on a child raised  
4 in that sort of environment?

5 A You could look at kind of immediate and long term, you know,  
6 but I don't know that they -- they kind of interrelate in a lot  
7 of ways. But the fear, being unsettled, feeling like they're  
8 responsible or have to take responsibility, the parentification  
9 of children. That can be something that's very real.

10 Your Honor, there's this developmental concept or idea, what  
11 they call multifinality. It's, basically, you can take two kids  
12 that are very closely -- maybe related even genetically and  
13 subject them to the same stressor and they can have different  
14 outcomes. And that seems to be true for children raised in this.  
15 So you can get some kids who have what they call like  
16 "externalizing" problems. That can be things like oppositional  
17 defiance or conduct problems, behavioral problems. Some are  
18 going to be more internalizing problems that are going to relate  
19 to kind of more mood struggles, could be depression, their own  
20 anxiety.

21 If they're victims directly of it, in physical ways that  
22 could do harm or result in serious injury, they could also  
23 experience some trauma and stress-related conditions. It can  
24 impact their social development. It can impact their education.  
25 It can be quite taxing on their young and growing psyche. So a

1 lot of resources that, you know, might be devoted towards meeting  
2 developmental tasks related to maybe social skill development or  
3 soccer skills, or whatever they might be involved in, it can take  
4 away from that. And so it can contribute to reasonable delays in  
5 some areas.

6 It can be really quite a bag full, depending on the severity  
7 and the nature and how chronic it is. There's a lot of things  
8 that can go into it.

9 Q So I guess, just for example, you just said it can take away  
10 from the child's development of soccer skills. How exactly does  
11 it take away from the child's development of soccer skills?

12 A You have to kind of ask yourself, again, where are the  
13 psychological resources going. You know, are they going  
14 internally to manage and cope with the distress, you know, or  
15 maybe take responsibility for a parent. And, you know, there's a  
16 finite amount of resources or psychological resources somebody  
17 might have to devote to different things.

18 And you see this too, also, with older individuals.  
19 Sometimes you will see people that might have to drop out of law  
20 school or can't work very well because they're so wrapped up and  
21 sucked into, you know, that world. That that's drawing so much  
22 of their time and energy and emotional resources that they can't  
23 devote it to even functioning in other areas of life. And that's  
24 why you can -- at least, you know, one way you might put it, that  
25 you might have some -- it could result in capacity problems in

1 other areas.

2 Q In your report, you note that patterns of coercion/control  
3 can extend to what is available to control another person. What  
4 do you mean by that?

5 A What I mean by that is what might lend itself to leverage of  
6 an individual who is oriented or carries an attitude of such. So  
7 one, maybe, example to illustrate that is that there is a risk if  
8 there is -- if it is a coercive control case and that's the  
9 flavor of domestic violence that exists in a matter, then what  
10 can be used to leverage, and in divorce and separation, it often  
11 has to do with children and money because it's what tethers  
12 people together ongoing. I would say, at the same time, there is  
13 a co-parenting relationship there, so they do have to continue to  
14 negotiate as well, and that can be often something that keeps  
15 people in a type of relationship, even if it's not a romantic  
16 relationship. And so those are often things that just become  
17 available to use to unsettle or to try to manipulate or to  
18 control another person. And there's just a myriad of ways that  
19 those can play out.

20 Q You mentioned just now use of a child. What does that mean?

21 A So I'll just maybe pull an example from Mother. Again, this  
22 is subject to examination to determine if this is something  
23 that's really happening, because I don't know, which is why I  
24 can't draw conclusions about this issue in this case.

25 But one of the things that was raised by your client, when I

1 met with her, related to that if she didn't succumb to the sexual  
2 desires of her husband, the father, then there was shaking of the  
3 child or some sort of physical harm that would befall the child  
4 as a way to do that, and then the child would be presumed to be a  
5 leverage point or something important to your client under that  
6 scenario. But that's one of the ways that she had represented  
7 that.

8 Q You also note in your report that a pattern of coercion/  
9 control can extend into divorce and separation, with a common  
10 tactic being use of the child when there are no other options  
11 available. What do you mean "when there are no other options  
12 available"?

13 A That might be just -- I might have worded that a little bit  
14 better, and I could certainly think of different ways that I  
15 could have worded that. But my point in that sentence would be  
16 this, and that would be that if this is a case of that flavor,  
17 there is a risk -- and that's a probabilistic statement -- that  
18 it's possible that the child could continue to -- could be  
19 subject to the use in the tactics that are employed if it  
20 continues post-separation, if it's that kind of case.

21 And, again, there's just different ways that that can happen.  
22 Sometimes it can happen through trying to gain the support of a  
23 child against a parent, it can happen through withholding, or it  
24 can happen through -- and sometimes it's not just withholding a  
25 child, but there's this idea, we call it "hostage taking" in



1 divorce and separation, where maybe you're deliberately  
2 withholding things that the child might need for you to be able  
3 to enact the role of parenting to meet a child's needs. So it  
4 might be sometimes, in very subtle ways, by deliberately not  
5 returning needed items -- maybe it's a retainer for their braces,  
6 you know, or it could be certain things that are required for  
7 their extracurricular activities -- for the purposes of just  
8 being unsettling to the other person and making things difficult  
9 or even punishing, or whatever, you know, the motive is from  
10 there, because I can only speak hypothetically from experience in  
11 working with families. But that's a risk. And, again, the  
12 creativity is probably the ruling factor here because it's just  
13 what opens itself up for availability. You don't ever know. But  
14 if there is a course of controlling manner and if it does  
15 continue post-separation, then it often will just glom on to  
16 what's available in kind of an opportunistic way.

17 Q In your report, you state that abuse and the extension of  
18 abuse to children is a violation of a fundamental human right  
19 with real impact.

20 MR. MIN: Your Honor, can we just get page cites or some  
21 sort of Bates number cites for where counsel is reading from in  
22 the report so we can follow along?

23 THE COURT: Please do so, counsel.

24 MS. SEIPEL: That's fine. Thank you.

25 THE WITNESS: I have a copy of my report, but I don't

1 have the one with the page numbers on it. Would that be helpful?

2 THE COURT: She will probably just put the screen up  
3 with the copy that you need.

4 THE WITNESS: Okay. Thank you, Your Honor.

5 Q Okay. So I am looking at page 5 of 8 here.

6 A 5 of 8.

7 THE COURT: This is Exhibit 302, counsel?

8 MS. SEIPEL: Yes, Your Honor. Apologies. Thank you.

9 Q You state here that abuse and the extension of abuse to  
10 children is a violation of a fundamental human right with real  
11 impact.

12 Can you tell me what you mean by that statement? Why is it a  
13 violation of a fundamental human right?

14 MR. MIN: Objection to the extent that that calls for  
15 some sort of legal conclusion or a legal statement, Your Honor.

16 THE COURT: All right. That objection is overruled.

17 A Typically, those fundamental rights are going to relate to  
18 things like liberty, health, freedom, security. Those are often  
19 what you'll find. They can also extend to things like freedom  
20 from being subject to torture, inhumane, or dehumanizing  
21 treatment. And that's what domestic violence is looked at as, as  
22 depriving somebody of, or subjecting somebody to, in the latter  
23 case.

24 Q How does one draw the line between corporal punishment and  
25 child abuse?

1 A Oh, not well, to be really honest with you. You just have to  
2 make, you know, enough reports of child abuse to the state to  
3 realize how messy that can be. Like one of the demarcations, for  
4 example, of the state, when you call, they always want to know,  
5 "Well, did you see a mark?" or "Was there a mark?" You know, if  
6 there's not, they're "Thanks. We will note it down," and kind of  
7 that's the end of it.

8 But corporal punishment has to do with, typically, physical  
9 forms of development. And then you might have that not leaving a  
10 mark, right? And then you might have it existing in a much  
11 broader pattern that has -- it's found itself in a fairly toxic  
12 family system related to things that are emotionally abusive in  
13 nature. You know, things where there's maybe manipulation and  
14 use of guilt, threats in parenting, and it's sufficiently chronic  
15 and severe that it's -- it might even potentially, in some cases,  
16 have, you know, greater impact compared to the situation where  
17 had maybe a spanking left a mark, you know. They're really  
18 tricky situations. And so that's why I say I don't think it's  
19 done very well. I think you have to take every case at its facts  
20 and look very closely at those things.

21 And going back to this methodological question, which I know  
22 came up in my deposition, but it's, I think, fairly clear that  
23 there is a question about trying to establish reliability around  
24 findings related to that too.

25 Now, every discipline seems to have their way of doing that.

1 Psychology certainly has theirs as well. But, you know, state  
2 child protection agencies have their approach and family court  
3 has one, criminal court has a different one, you know. So  
4 it's -- just a lot of that can be context dependent as well. And  
5 it can also relate to what question you are trying to answer  
6 also.

7 Q Does child abuse affect children in any different ways than  
8 domestic violence in the home affects children?

9 A Well, in some ways, it's all family violence. I do think  
10 that maybe the generally accepted principle around that is what I  
11 had defined earlier, and that has to do with this developmental  
12 concept of multifinality.

13 A lot of it can depend on the child, it can depend on the  
14 child's vulnerability, and what their -- some children come in,  
15 they're fairly resilient, you know, and they can sometimes take  
16 things that you wouldn't want them to have to take, and other  
17 children can experience things that are similar and not handle  
18 them well, they can regress quite significantly, depending on the  
19 vulnerabilities that they come into the situation with.

20 Q Does the concepts of domestic violence and coercion and  
21 control implicate grave risk of harm under the Hague Convention?

22 MR. MIN: Objection as it calls for a legal conclusion.

23 THE COURT: So noted, but it's overruled.

24 A From my understanding, you know, I think it's a valid  
25 objection that I -- you know, I'm not putting myself out as a

1 legal expert, but I certainly have to testify to matters and  
2 evaluate matters related to impact and harm on a child, and so  
3 I'm going to be coming at it from my own discipline, and that's  
4 the discipline of psychology. And so domestic violence is often  
5 equated with a form of child abuse.

6 Q So to be clear, the impact that you have testified about  
7 today, that is qualified as harm to a child?

8 A Yeah, it would be.

9 MR. MIN: Objection. Leading.

10 THE COURT: It is leading, counsel. Sustained.

11 Counsel, it's 3:15. We took a short break. We will take  
12 our afternoon recess at this time.

13 THE WITNESS: Thank you, Your Honor.

14 THE CLERK: Please rise.

15 (Recessed.)

16 THE COURT: Good afternoon, again. Please be seated.

17 THE WITNESS: Thank you, Your Honor.

18 THE COURT: You may resume your examination.

19 MS. SEIPEL: Thank you, Your Honor.

20 Q (By Ms. Seipel:) Dr. Poppleton, have you formed an opinion  
21 regarding grave risk of harm regarding this family?

22 A No, I have not. And I didn't put one in my letter either.

23 Q Why not?

24 A Yeah, maybe I didn't explain that well earlier on. But I do  
25 think when you are trying to establish that, the psychology --

1 and I mentioned that different disciplines have different ways of  
2 addressing their investigations of matters, and I don't think you  
3 can do that from a one-sided approach, nor do I think you can do  
4 it through a child. And so I had access to the child and I had  
5 access to Mother, and that's going to fall short of an ability to  
6 be able to come to a reliable finding on that matter. And you  
7 would have to have a finding under the rules of your discipline  
8 in order to base an opinion on, and I just don't have one.

9 Q If you had access to Father, would you have been able to make  
10 an opinion?

11 MR. MIN: Objection. Calls for speculation.

12 THE COURT: Sustained.

13 Q In your opinion, is there any sort of undertaking or other  
14 action this Court might take to minimize any risk to a child upon  
15 return to Singapore?

16 A So I have to assume some things to answer that question. So,  
17 I guess, what context are you asking me that in?

18 Q Let me rephrase. If the Court orders the child to be  
19 returned to Singapore, is there anything the Court might do to  
20 minimize any impact to the child?

21 A So let me try to tackle that because it requires me to have  
22 to assume various things.

23 So are you saying, as a premise of that, that there would  
24 also be a finding of coercive control, domestic violence?

25 Q No.

1 A Okay. Well, without that, there's less of an issue, right,  
2 because that's what I understand is specifically the claim of the  
3 grave risk of harm.

4 Children, generally speaking, would need to adjust to a new  
5 school, they might need to adjust to a new home. That can depend  
6 on a couple of things.

7 So I do look at this child, and I think that there are some  
8 potential resiliency concerns that would need to be addressed,  
9 but if you have two parents, under this hypothetical, who are  
10 capable and able to support and facilitate the adjustment of the  
11 child back to -- or to anywhere, frankly, to Singapore, and under  
12 your question, a lot of that will relate to the parents and their  
13 ability to do that. And that would be reconnecting, right?  
14 Reconnecting with different services, whether it be medical -- it  
15 seems like those services were also connected in Washington, from  
16 the testimony I listened to. But would be connecting with  
17 services there related to education, related to the neighborhood  
18 and friends that they might have. It could relate to their  
19 dental and mental care. But that would be a large factor that  
20 would contribute to that, under ordinary circumstances.

21 MR. MIN: Objection. Move to strike as nonresponsive.  
22 The question was what this Court could order that would lessen  
23 any impact on the child, and the answer is talking about the  
24 connections the child needs to make or remake or reconnect to in  
25 Singapore.

1 THE COURT: I'll allow the answer.

2 MR. MIN: Okay.

3 THE COURT: Please continue with the next question.

4 Q (Ms. Seipel:) Dr. Poppleton, I want to now turn to your  
5 interviews with the child in this matter and your analysis under  
6 the mature child exception. What is your understanding of the  
7 mature child exception under the Hague Convention?

8 MR. MIN: Objection as it calls for a legal conclusion.

9 THE COURT: Overruled. It's a question of what his  
10 understanding is.

11 MR. MIN: Well, Your Honor, just on that note, his  
12 understanding is irrelevant to the extent that he's not here to  
13 make that determination, as he's not the finder of fact. So I  
14 don't believe his understanding is relevant, but I understand  
15 Your Honor's ruling.

16 THE COURT: Overruled. The next question -- you  
17 understand the question, sir, or would you like it repeated?

18 A I actually -- I believe I do, but if I could, could you  
19 repeat the question, just to make sure there's some continuity  
20 there?

21 Q Of course.

22 What is your understanding of the mature child exception  
23 under the Hague Convention?

24 A I think I wrote my understanding of that in the letter, but  
25 my understanding is that the child actually objects to a return,



1 and that there is an age and degree of maturity that the child  
2 has attained that would suggest that those views should be taken  
3 into consideration.

4 Q How much time did you spend with the child in this case  
5 during the course of performing your role?

6 A Not much. I think maybe a total of an hour.

7 Q Why only an hour?

8 A I don't think I needed more than an hour. But I think  
9 there's reasons for that.

10 Q What are those reasons?

11 A I could do this -- answer that in contrast, but I won't. I  
12 will answer this straight, and that is, is that when a parent is  
13 bringing their child in to see you in some way, typically, you  
14 need to have enough rapport with the child to be able to, I  
15 guess, talk to them and have them open up and answer, and  
16 questions to you, and I think that I was able to borrow the  
17 rapport maybe that I had with Mother and that Mother's trust in  
18 me was something that really helped facilitate that.

19 So, you know, I didn't spend a whole lot of time in any  
20 rapport-building phase. I spent kind of mostly maybe some  
21 administrative stuff. And I had a child who was really wanting  
22 to talk to me about things and different aspects of his life, and  
23 so I was able to, I think, move into that fairly fluidly, and we  
24 had a good conversation about things that I was interested in  
25 knowing. And so I just don't think it required a whole lot of

1 time.

2 I mean, certainly, I think I could complain about my own work  
3 and maybe I could have spent a lot more time, but I didn't.

4 Q Did A [REDACTED] express to you whether or not he wants to be  
5 returned to Singapore?

6 A I wrote that down. I asked him what his desires were -- I  
7 asked him fairly directly -- and he said that his desire was to  
8 stay in the state of Washington.

9 Q Did he say why?

10 A Yeah. I think he said why from his experience and I think he  
11 said why from a perspective that I would expect, given his age  
12 and what I could observe about and potentially draw inferences  
13 about his stage of development. But, yeah, he did.

14 Q Did he consider how his opinion might affect his father?

15 A I asked him about that, because I was curious about how it  
16 might affect other people, and I think he first started  
17 discussing -- again, this is without looking at my letter; I put  
18 it in there -- but I discussed about how it might impact maybe  
19 some friends he had there. But I asked him specifically about  
20 his dad because, you know, I found him to be a significant figure  
21 in his life, and he didn't think it would have much impact on his  
22 father.

23 Q In your time with the child, were you able to assess his  
24 level of maturity?

25 A I think when you look at that -- I looked at him. He's a

1 delightful kid. He's a fun person to talk to. He could engage  
2 in some perspective taking. He could engage in some, from what I  
3 could tell, some potential strategies and problem solving. The  
4 way that he talked about things demonstrated a degree of kind of  
5 genuine logic, but it wasn't a high level of logic. I think I  
6 would put this kid at really a concrete, operational stage of  
7 development, which is not full development, typically, but as  
8 typically for children that fall between, I think it's like ages  
9 7 and maybe 11, off the top of my head, if I remember that right.  
10 But he's not an abstract thinker. He's not going to think about  
11 things deductively, for example. He's probably not going to be  
12 an active, you know, problem solver in jury-like deliberations.  
13 He's too young.

14 But, certainly, he thinks, he has his opinion, he reasons  
15 from things that seem to be immediately available to him in his  
16 vicinity and his life. And so I think that's probably just based  
17 on -- just in that -- I'm giving you my observational points.  
18 But based on my observations, I think I would put him at that  
19 concrete stage.

20 Q So you said the stage of concrete -- the concrete operational  
21 stage of development. What is that?

22 A Well, I think I weaved in that with a lot of what I just  
23 said, but it's where you get more the introduction of what you  
24 might consider, you know, genuine logic, you know, logical  
25 problem-solving skills. They can take and understand that others

1 might have a different perspective about life. You know, they --  
2 there is a degree of empathy and socioemotional maturity that can  
3 come out of that as well. And that might be a succinct way to  
4 define that.

5 Q Did the child exhibit to you logical problem-solving?

6 A I think you could probably have done some tests related to  
7 that. I do know that there was some medical -- or not medical  
8 records. I think there were school records that I received. I  
9 don't remember when I got them. But they kind of demonstrated  
10 that he had engaged in some engineering tasks in class, and there  
11 was some reports of them looking at -- I think it had to do with  
12 garbage dumps across the world -- this is just off my memory and  
13 without looking at it -- but looking at some of the problems that  
14 were related to that and how those things might solve. So he  
15 certainly appears to have been engaging in some of that through  
16 school.

17 When I asked him things, he would understand -- like there  
18 was some situation -- at least one situation that he got in that  
19 he talked to me about where it seemed like he was kind of caught  
20 between parents around some of the issues that they were dealing  
21 with, and he seemed to understand that his behavior might be  
22 having some impact on one of them in particular, and he was able  
23 to articulate that dynamic in a way that I felt captured it  
24 fairly well also. But that's a different question than the  
25 problem-solving one, you know.

1       So I didn't see strong indication that would put him outside  
2       of that stage of development. But, you know, this is just based  
3       on an interview and some record review, so it has its  
4       limitations.

5       Q   Did you consider whether Mother might be exerting undue  
6       influence over the child?

7       A   I thought about that. There was fairly obvious indicators  
8       from his report to me that his mother was having conversations  
9       with him about some of the -- the interparental matters that were  
10      happening.

11       I was curious in his personal reasons why he wanted to stay  
12      in Washington, if they might have had something to do with those  
13      things. I can't rule out completely that they might set a  
14      backdrop to maybe where he is situated, and there could be kind  
15      of a predisposing or stage-setting, you know, contribution that  
16      those things had.

17       But as far as his report to me as to his reasons why, it  
18      really just boiled down to the fact that he felt like he had a  
19      great prospect for friends and he liked the weather better. It  
20      was just things non-related to that. So it wasn't in his  
21      articulations.

22       But, again, you know, there's -- for every case, every  
23      observation, there's always a formulation that goes with it, and  
24      that's probably important to know as well. And that  
25      formulation has -- part of that formulation has to do with maybe

1 what might set the stage for why someone is situated the way they  
2 are and could that be an influential factor. You know, I  
3 certainly think that's a possibility. But I didn't -- to bring  
4 it down very concretely, Your Honor, it just didn't work into his  
5 articulated reasons.

6 MS. SEIPEL: I have nothing further.

7 THE COURT: Cross-examination.

8 MR. MIN: Thank you, Your Honor.

9 CROSS-EXAMINATION

10 BY MR. MIN:

11 Q Good afternoon, Dr. Poppleton.

12 A Good afternoon, counselor.

13 It's good to see you again.

14 Q It's nice to see you.

15 A Yeah, yeah. We said the same thing. Jinx.

16 Q Have you ever testified in a Hague Convention case before?

17 A I have, yeah.

18 Q Okay. How many times?

19 A Oh, we went through this, I think, in the deposition. I  
20 don't know that I did a good job then either.

21 I believe I can think of twice, but don't hold me to that.  
22 But I believe two.

23 Q What were the issues in those cases?

24 A One of them had to do with the maturity of a particular  
25 child, from what I recall, and I don't think it had a grave risk

1 component. This is off the top of my head. But the other one  
2 was largely related to a grave risk issue.

3 Q Okay. You didn't list those cases in which you testified in  
4 your report, correct?

5 A Not in my report. I think I provided those to you,  
6 ultimately, in an e-mail after -- I think after the first day of  
7 my deposition.

8 Q You said one of them dealt with mature age exception; is that  
9 correct?

10 MS. SEIPEL: Objection. Relevance.

11 THE COURT: That's overruled.

12 A I believe so, yes.

13 Q And the other case, do you recall the issue in the other  
14 case?

15 A Yeah. I believe I said that a minute ago. But from my  
16 recollection, I believe it was -- and I would be very shocked if  
17 I'm wrong about this -- it had to do with the grave risk issue.

18 Q And you recently had a Hague case, correct, in which you  
19 didn't testify?

20 A Yeah. I believe your law firm -- well, both these law firms  
21 I, frankly, believe were involved.

22 Q Right.

23 And the issue in that case was grave risk of harm, correct?

24 A It was grave risk of harm in that one too.

25 Q Ultimately, you did not testify in that case; is that

1 correct?

2 A I did not, no.

3 Q How many Hague cases, in which you've been retained, have you  
4 been retained by respondent's counsel?

5 A I think I was able to tabulate that for you in that e-mail,  
6 but I believe out of the five that I have been involved in, four  
7 of them were, from my recollection.

8 Q Including the one you just mentioned where it was both law  
9 firms involved, correct?

10 A Well, I think I'm including -- maybe I'm -- I could be -- my  
11 memory could be wrong. I believe I'm including this one, but I  
12 could be wrong.

13 Q Fine.

14 The recent case was heard at evidentiary hearing in December  
15 2024; is that correct?

16 MS. SEIPEL: Objection. Relevance.

17 THE COURT: It's overruled.

18 A I'm not sure. It wasn't terribly long ago. So it might have  
19 been in the last 30 days or 45 days. I actually don't remember.  
20 But it's not too long ago.

21 Q And that was in Oregon, correct?

22 A Yeah. It was in -- it might have been Eugene, if I remember  
23 right.

24 Q In that case, the issue was whether or not there was a grave  
25 risk of harm to a young child, correct, in returning to France;



1 is that correct?

2 MS. SEIPEL: Objection. Relevance.

3 THE COURT: It's overruled, counsel. It goes to the  
4 witness's qualifications and his ability to render opinions in  
5 this particular case.

6 A I believe it might have been two children, but maybe you're  
7 correcting my memory on that, that it was one.

8 Q It was --

9 A So I can't recall. But your question around one makes me  
10 wonder if my memory is right.

11 Q It was two children. I apologize.

12 A Okay. Then my memory is correct on that.

13 Q But the issue was grave risk of harm if returned to France,  
14 correct?

15 A That is correct.

16 Q Okay. And you assessed one or both of the children?

17 A I don't recall exactly. I think I interviewed both those  
18 children. But, again, you're going back to a case that was a  
19 month ago, and I don't -- I don't -- like it's one case to the  
20 next. But I believe I interviewed both of them.

21 Q You are what's called a "mandatory reporter," correct?

22 A Uh-huh.

23 Q And what does that mean? Please explain.

24 A Typically, it means if there is some sort of suspicion of  
25 risk of harm, that you make a report.

1 Q In that case, in Oregon, you reported suspicion of harm to  
2 the Department of Human Services, correct?

3 A I did, yeah.

4 My recollection of that is, is that --

5 Q "Yes"? It's a "Yes" or "No" question.

6 A Yeah.

7 Q You did, right?

8 A Yeah.

9 Q Did you do that in this case?

10 A I did.

11 Q You did.

12 Where?

13 A In Washington.

14 Q You didn't note that in your report, did you?

15 A No, I didn't note that in my report.

16 Q You did note it in the report in the other case, though,  
17 correct?

18 A I don't recall. I might -- I believe so. I don't know. You  
19 would have to -- I would have to look at the report.

20 Q You don't believe that was valuable information to include in  
21 your report here?

22 A No. I think I reported that after. I had the deadline to  
23 get the report out, so I -- yeah, I don't know what to tell you.

24 Q What was the risk of harm that you reported to social  
25 services in Washington?

1 A It was just domestic violence. But I don't believe they  
2 accepted that, and I didn't think they would, but -- there wasn't  
3 a mark.

4 Q Okay. So the social services in Washington didn't accept the  
5 complaint?

6 A No. They told me they wouldn't accept it. They said they'd  
7 just note it down.

8 Q Do you recall the specific allegations or context in which  
9 you made this complaint?

10 A Not off the top of my head. I think it was more of a general  
11 complaint.

12 Q So you just generally described domestic violence or did you  
13 make a specific allegation or complaint regarding an incident or  
14 a series of incidents?

15 A No. So, yeah, this is my -- you are getting into my own  
16 gripe. My history with the Department is, is that they're not  
17 going to accept reports related to domestic violence. They're  
18 going to accept those when there's actually some sort of harm or  
19 mark on a child. I testified to that earlier. So all I could  
20 testify to is that there's at least some report of domestic  
21 violence in the home, and that's it.

22 Q Okay. Did you tell respondent that you made such a  
23 complaint?

24 A I don't believe so. It just wasn't -- the other one, my  
25 understanding was, it was going to be investigated.

1 Q What do you mean by "the other one"?

2 A The one that you referred to in Eugene.

3 Q What was the outcome of that case?

4 A I have no -- oh, in terms of the Department's investigation  
5 or the case itself?

6 Q The Hague case itself.

7 A My understanding of that was -- is that they had -- and I  
8 don't know exactly what the settlement was, but they ended up  
9 settling the case. I don't know if it was the first day or  
10 second day.

11 Q Did the children go back to France?

12 MS. SEIPEL: Objection. Relevance.

13 THE COURT: Sustained.

14 Q What is the basis in which you report child abuse to social  
15 services? What is your standard for when you issue a report?

16 A Well, it depends on the states. Typically, there's some sort  
17 of reasonable suspicion, but I'm trying to remember how it's  
18 worded in Oregon. But the Oregon one is a little bit different.  
19 Where it has to do with harm to the child that I think -- and my  
20 wording might be wrong on this -- but it would be related to a  
21 report of the child themselves or someone related to the child or  
22 the perpetrator, the alleged perpetrator. So they can just be a  
23 little bit different, depending on where you are at.

24 Q You talked about your experience evaluating families,  
25 correct?

1 A Sure.

2 Q Okay. And that's outside the context of Hague cases,  
3 typically?

4 A Typically, yeah, by a large margin.

5 Q In your Hague experience, have you done a full-family  
6 evaluation as part of your role as a forensic expert in a Hague  
7 case?

8 A There was a case, one of the five, I guess, there are -- and  
9 I'm trying to remember the facts of how that played out, and that  
10 was, I think, one of them, in the deposition, I couldn't remember  
11 a whole lot of facts about it -- but I believe the attorneys had  
12 worked out an agreement that I would meet with both sides of the  
13 case.

14 Q Okay. So in one of the approximate five cases you've had,  
15 you were able to meet with both sides?

16 A Yeah. That's one fact that I remember about that case, is  
17 that I was able to, by the agreement of the attorneys.

18 Q Did you talk to respondent's counsel about meeting with the  
19 father in this case?

20 MS. SEIPEL: Objection. Calls for work product.

21 THE COURT: The question is "Yes" or "No."

22 A No. I don't -- I don't even believe that was brought up as  
23 an option to me.

24 Q Okay. Do you believe that it would have been valuable to  
25 speak to the father in this case?

1 A I think that's a decision for you and your opposing counsel  
2 to work out. But my opinion is, is that more is often better.  
3 So if you can agree to use somebody to answer those questions,  
4 it might be, but I don't know that my experience has been one  
5 where there's a joint agreement around one provider to do that.

6 Q Well, let me ask you a question. In your experience, not  
7 limiting yourself to Hague cases --

8 A Sure.

9 Q -- are you typically appointed by the Court to do a family  
10 evaluation or are you typically hired by one party or the other?

11 MS. SEIPEL: Objection. Relevance.

12 THE COURT: It's overruled.

13 A So there's -- it's a very different context, Your Honor. So,  
14 typically, there's an argument about who will be appointed, and  
15 then you're appointed as an arm or extension of the Court in  
16 those matters. And so that's typically how that will work. And  
17 whether they come to a stipulated agreement on that, the parties'  
18 counsel, or it just becomes an argument, with an order from the  
19 Court, that's often how those will go. But it's always going to  
20 be top-down.

21 Q Okay. I'm not entirely sure I understood your answer.

22 So are you saying that you are typically appointed by the  
23 Court, whether it's through an adversarial process or not?

24 A No. Well, it depends on how you are defining that. So  
25 there's going to be some order that's filed with the Court and it

1 has a signature on it, but there's a lot of times that those are  
2 stipulated agreements with certain language in the order about  
3 scope and, you know, what -- who's paying for it, you know,  
4 there's things in there related to questions that need to be  
5 answered. And those are always done through negotiation or  
6 top-down or they're handed to the parties by the Court with an  
7 appointment order. So it can be stipulated and filed or it can  
8 be ordered by the Court.

9 Q Okay. And perhaps either I'm not understanding or there's a  
10 little disconnect. But what I'm asking you is whether or not, in  
11 your experience, you are hired by one party directly or, if in  
12 your experience, you act, I guess, as a mutual evaluator  
13 appointed by the Court or agreed by both parties to be the  
14 forensic evaluator for the family?

15 MS. SEIPEL: Objection. Compound question.

16 THE COURT: Counsel, where are you going with this, just  
17 to move things forward?

18 MR. MIN: No, Your Honor. I mean, I think I'm relating  
19 it back to what he's testified to, was that's something that  
20 should be worked out with opposing counsel. So I'm trying to get  
21 a little context for how typically he operates in forensic  
22 evaluations and in what situations he may seek to interview both  
23 sides or what context he's being directed by counsel, as to what  
24 activities to take in a particular case.

25 THE COURT: What theory of your case is advanced by you

1 asking that particular question? Which answers the question of  
2 what relevance the answer would provide.

3 MR. MIN: Oh, I think it's quite relevant, Your Honor,  
4 in terms of highlighting the limitations of his report and the  
5 deficiencies of his report. In the event that it was a failure  
6 on his part to even seek or consider evidence that might be  
7 contrary to someone who may have paid his bills' position in this  
8 case, then it certainly goes to credibility and to weight.

9 THE COURT: Then let's go down that lane, counsel, as  
10 opposed to your maneuver to go around through a different basis  
11 to get to the question.

12 MR. MIN: I thought, Your Honor, it would be helpful to  
13 establish that that's not how he typically operates, but I will  
14 move past it and try to get directly to the point.

15 A Thank you. Thank you.

16 Q In this case, did you believe that it was respondent  
17 counsel's role to determine how you evaluate respondent and the  
18 child?

19 A So you are switching the context out, right? And so we can't  
20 conflate those two things. And that's super important to  
21 understand here.

22 But I was retained as a consultant on this case, under a  
23 consultant contract, and that was largely to be a Court educator.  
24 Not to provide any opinion on the matter, but to provide  
25 education to the Court on something that might have some



1 relevance to the issue that's before it.

2 Q Are you familiar with the Federal Rules of Evidence on the  
3 *Daubert* standard for expert testimony?

4 A Reasonably enough.

5 Q Okay. And is it your understanding that the purpose of  
6 expert testimony is simply to educate the Court?

7 A That's certainly a role that exists within the domestic  
8 relations sphere quite commonly.

9 Q In federal court, it's your experience that that is the  
10 common standard for expert testimony?

11 MS. SEIPEL: Objection. Argumentative.

12 THE COURT: It is argumentative, counsel.

13 Q Were you able to come to any conclusions that have scientific  
14 reliability in this case? "Yes" or "No."

15 A Okay. So I need to make sure I understand your question  
16 first, and I think this is probably more to aid in defining that.  
17 Because I think that matters.

18 But are you talking about coming to an ultimate finding or an  
19 opinion, when you ask that question?

20 Q An opinion.

21 A Okay. I don't have an opinion in my letter.

22 Q Okay.

23 A And I haven't provided an opinion, and there's a good reason  
24 I haven't done that from day one.

25 Q So it's fair to say you have not provided this Court, or in

1 your evaluation, any opinion that has any scientific reliability?

2 "Yes" or "No."

3 MS. SEIPEL: Objection. Argumentative, asked and  
4 answered.

5 THE COURT: The witness testified, counsel, he didn't  
6 have an opinion.

7 Q So I want to go back to the question about interviewing the  
8 father.

9 A Okay.

10 Q Did you consider whether you thought it would be valuable to  
11 interview the father when you were retained on this case? "Yes"  
12 or "No."

13 MS. SEIPEL: Objection. Asked and answered.

14 THE COURT: That's overruled.

15 A I --

16 Q "Yes" or "No."

17 A Did I -- well, I need to understand your question first, and  
18 if I don't define that question, I'm not going to be able to  
19 answer it.

20 So what you are asking is, did I consider that it might be  
21 helpful in doing something like that?

22 Q Yes.

23 A Well, of course, I considered that. That's different than  
24 whether or not it was available.

25 Q Okay. But did you ask respondent's counsel if that would be

1 available? "Yes" or "No."

2 A No. It wasn't my understanding that I had that option.

3 Q Okay. So you did not know whether it was available or not  
4 because you did not ask whether it was available? "Yes" or "No."

5 MS. SEIPEL: Objection. Compound question, asked and  
6 answered.

7 THE COURT: It has been answered, counsel.

8 MR. MIN: I'm sorry?

9 THE COURT: It has been answered.

10 Q Typically, for family evaluations, how long does the process  
11 last from the first document or information you receive to when  
12 you issue a report?

13 MS. SEIPEL: Objection. Relevance.

14 THE COURT: It's overruled.

15 A So this wasn't a family evaluation, and so we're talking  
16 about something that's different, and I'm happy to go down that  
17 path.

18 But, typically, I would request, if someone were to come and  
19 ask for what's commonly called a "best-interest evaluation,"  
20 which I don't believe applies in this context, I would ask for a  
21 minimum of six months, minimum, to be able to go through  
22 something like that.

23 Q Why?

24 A Well, the procedures are quite extensive. So you need to be  
25 able to keep things quite parallel. There's lots of collateral

1 calls that are made. There's many and multiple interviews with  
2 the parties. There's typically parent-child observations.

3 It's a completely different question outside of this realm  
4 and a different set of proceedings that go with it, and they just  
5 take time.

6 Q What questions were you asked to answer or provide  
7 information on in this case?

8 A Well, I think it's within the letter that I wrote. The  
9 question was to -- will you meet with our client and meet with  
10 the client's child and provide any information to the Court that  
11 you feel might be helpful related to the issues that are  
12 presented to you as they pertain to this child objection and  
13 grave risk of harm. And those are going to have limitations, and  
14 I will -- I will stand by this, but I believe I accounted for  
15 those in that.

16 Q What typically goes into your evaluation process when  
17 assessing families or what you call "best interests" for the  
18 child?

19 A Well, this isn't a best-interests case.

20 Q Again, I'm not asking you that --

21 A Yeah.

22 Q -- and the added commentary is not part of the question or  
23 the answer that I'm asking you.

24 I'm asking you what goes into a best-interest evaluation, not  
25 whether this case is a best-interest case.

1 A Yeah. I mean, I think that you're talking about interviewing  
2 everybody in the family; you are talking about often  
3 psychological testing, not always; you are talking about  
4 parent-child observations; you're usually talking about going  
5 down a list of individuals who have been involved in the family  
6 from different times and perspectives, as a way to -- all in the  
7 spirit of testing hypotheses about functioning and family  
8 dynamics, and what might be in the best interest of a child to do  
9 so.

10 So that's the most succinct way I could put that. But I  
11 could certainly go into it in more depth, if you would like,  
12 counsel.

13 Q No. That's fair.

14 What questions are subsumed within a best-interest  
15 assessment?

16 MS. SEIPEL: Objection. Relevance.

17 THE COURT: Counsel?

18 MR. MIN: Well, there is relevance depending on the  
19 answer. Because if there are overlapping questions, then the  
20 processes might have some parallel relationship, Your Honor.

21 THE COURT: Well, this isn't a best-interest evaluation  
22 that was conducted. What's the purpose and benefit of going down  
23 that road?

24 MR. MIN: Again, if there are questions subsumed by a  
25 best-interests analysis that are related to this, and I

1 understand this is not a best-interest case, but best interest is  
2 an overarching theme, and within that, there are certain  
3 elements, such as risk from either parent to a child as part of a  
4 best-interest analysis, child functioning as part of a  
5 best-interest analysis, as the witness just testified. Those  
6 certainly are relevant to the questions at hand here, and so the  
7 process in which -- that the doctor employed in this case, to  
8 some extent, has some direct relationship. Now, I'm not saying  
9 that the processes are equal, but some aspects of the process  
10 would mirror that of a fuller family evaluation. That is my  
11 point. And I'd like the witness to talk about the aspects of a  
12 best-interests analysis to see and educate the Court as to  
13 whether there is some comparison to be made.

14 THE COURT: I'll allow limited latitude, counsel,  
15 because the witness has already testified what this case  
16 involves, what his directives were by way of his consultation,  
17 and your questions are starting to go far afield and meandering  
18 as opposed to the issues in this particular case. So I'm going  
19 to give you some latitude, counsel.

20 MR. MIN: Your Honor, if I can be heard on that point  
21 quickly?

22 THE COURT: Quickly, counsel.

23 MR. MIN: Yeah. I mean, Your Honor, I understand what  
24 the witness says are the issues in this case. We disagree with  
25 his representation of what the issues are in this case. And we

1 also find that, because of those limitations placed on him, it's  
2 a limitation on his ability to aid this Court in what this Court  
3 ultimately has to determine. And that is the point of this line  
4 of questioning, but I will make it very brief, Your Honor.

5 THE COURT: All right. Please proceed.

6 MR. MIN: Yeah.

7 THE WITNESS: Thank you.

8 MR. MIN: Your Honor, if I could ask the court reporter  
9 to read back my last question?

10 THE COURT: I think your question was regarding what  
11 questions were subsumed in the family evaluation.

12 MR. MIN: In a best-interests analysis, yes, Your Honor.  
13 Thank you.

14 A I will try to jell a little bit to make it a little bit on  
15 point.

16 But let's say in a best-interest evaluation, one of the  
17 issues that gets raised, which is a family-systems issue, is one  
18 of domestic violence, just to throw that out there, that would  
19 unequivocally call for -- and I think this speaks to the  
20 limitations of me that he's trying to get to, and so I will help  
21 there too -- call for an evaluation directly of the alleged  
22 perpetrator, of their level of risk and whether or not they have  
23 a propensity towards violence, or domestic violence as a broader  
24 scope. And so that would be certainly, in trying to bring this  
25 together, something that would be included in a best-interest

1 evaluation that might overlap with a Hague matter where grave  
2 risk of harm is an issue.

3 And you're right, I was not able to do something like that.

4 Q There are other aspects of a best-interest analysis that  
5 could have been useful in this case, such as what you'd testified  
6 to earlier, child functioning, correct?

7 A So, typically, it's going to relate a little bit differently.  
8 And that might relate to maybe the actual level of competency and  
9 resiliency of a child, and then what might be needed throughout  
10 the entire family system that continue to support a healthy  
11 course across those two factors.

12 Q Right.

13 I mean, you understand that the question of grave risk of  
14 harm to a child is a fact-specific inquiry about a specific child  
15 in a specific family within a specific context, correct?

16 A Yeah, I can -- I would never dispute that.

17 Q So the resiliency and competency of this child is certainly  
18 an important component of what risk of harm he may be faced with  
19 if returned to Singapore, if at all, correct?

20 A Yeah, yeah.

21 I will take that one step further and amplify what you are  
22 saying, and that is, is that if you have a child that, let's say,  
23 devoid of -- like resiliency is a bounceback question. It has a  
24 lot to do with their emotional and, you know, maybe clinical  
25 levels of depression or anxiety, and if they're devoid of any of



1 that, then, yeah, it would -- it could be a very relevant factor  
2 in terms of calibrating the level of risk to that child.

3 Q Right.

4 And so if a child is highly resilient, and I apologize if I'm  
5 no using the psychological term, but --

6 THE COURT: Counsel, counsel --

7 MR. MIN: Slow down.

8 THE COURT: -- repeat the question.

9 Q If a child is highly resilient compared to -- has low  
10 resilience, that could impact on a conclusion as to what sort of  
11 risk of harm a child may face?

12 A Yeah. So like a child who has depression versus one who  
13 doesn't, the child with depression might be more vulnerable than  
14 the one who doesn't. That's what your question is, right?

15 Q Right.

16 A Yeah, I would agree with -- I would agree with that from a  
17 general principle perspective. I still think you need more  
18 factors. But from just a way of thinking about it, I would -- I  
19 wouldn't disagree with that.

20 Q But one of the limitations you had in this process is you  
21 were not able to evaluate this particular's child resiliency or  
22 competency, correct? "Yes" or "No."

23 A I got a survey that I don't think is quite -- it's less  
24 helpful than I would want it to be. But I do think that that is  
25 something that could be -- add information beyond what I'm able

1 to provide to the Court, yes.

2 Q Okay. Did this child come across to you as resilient or not?

3 A It's hard to always know what's going on internally with a  
4 child. The child came across to me as complaining of being  
5 bored. I chuckle a little bit because I remember it in my  
6 interview with him. But a little bit of being bored, wanting  
7 some stimulus in his life, and, you know, not feeling like he was  
8 getting it from grandma at the moment. And he came across as a  
9 reasonably delightful child. That's a different question than  
10 going down a diagnostic approach.

11 He did -- I did ask him some questions about that, and I have  
12 my notes here, and he did report that he's -- some emotional --  
13 things related to some emotional struggles. But I would have to  
14 probably look at my notes to recall exactly what he said.

15 Q Right.

16 You talked about being bored here in Washington, correct?

17 A I think that was related to his grandma at the moment and not  
18 providing a lot. But, yes, it happened in Washington, right?

19 Q Right.

20 A We could probably say that.

21 Q Right.

22 You understood that this child had not lived in the state of  
23 Washington since the summer of 2022, correct?

24 A Yeah, it was several years.

25 Q Okay. And would you agree that if the child was doing well

1 in Washington, that would be evidence to support that he may be a  
2 resilient child?

3 A If he's doing well in Washington, it may support that? Yeah,  
4 from a general perspective, I think I would agree with that.

5 Q Right.

6 Which would also then lend evidence to support that if  
7 returned to Singapore, he would also be resilient in adapting  
8 back to Singapore, a country in which he's only not lived in for  
9 two months, correct?

10 A Yeah. It assumes --

11 MS. SEIPEL: Objection. Compound, argumentative.

12 THE COURT: It's overruled. You may answer the  
13 question.

14 A Yeah, I can handle that, I think.

15 So if he's going -- you're saying if he is resilient, meaning  
16 he's not experiencing depression, anxiety, stuff like that, then  
17 he could handle a transition better than one that would, one that  
18 is, and if he handled one move under those circumstances, could  
19 he potentially handle another?

20 It would lend support for that. Let's just leave it at that  
21 as a fair answer.

22 Q One data point, if you will?

23 A One data point, I think, would lend support for that, if  
24 those things are true.

25 Q So another thing that is valuable in a best-interest

1 evaluation, that may have been valuable here -- and I will get  
2 sort of directly to the point, to speed things along --

3 A Thank you.

4 Q -- is evaluating a parent-child dynamic; is that correct?

5 A Yeah. Those typically come in interviews and observations.

6 Q Okay. And you did not really observe the mother and the  
7 child together; is that fair?

8 A Only in transition and maybe for a minute.

9 Q Okay. So it would be fair to say that one of the limitations  
10 of your report was the inability to evaluate the mother-child  
11 dynamic in this case directly?

12 A Yeah. So, counsel, there's lots of limitation why you are  
13 not getting an opinion out of me, right? But certainly if you  
14 want to expand this out to something greater than what I'm able  
15 to provide, yeah, that would be a limitation.

16 Q And it goes without saying that, of course, you never  
17 observed the father-child dynamic?

18 A No, of course not. I mean, that's a risk assessment for you  
19 to make and to determine, not for me.

20 Q You are a member of the AFCC; is that fair?

21 A I am, yeah.

22 Q And that's the -- well, why don't you tell me what that is?

23 A Everyone gets it wrong. Association of Family and  
24 Conciliation Courts.

25 Q What is that organization?

1 A There's just like a flagship organization. I think they have  
2 a journal, a think tank, put on conferences, put out, you know,  
3 practice guidelines to aid and support the field. But they're  
4 really just a club or an organization that's there to, I think,  
5 support people who work in family law matters.

6 Q Mental health professionals and lawyers?

7 A Judges, mediators, special masters, guardians ad litem.

8 Q Are there guidelines for what information should be reported  
9 in a forensic evaluation report, as part of the AFCC?

10 A So they have guidelines for the other, you know, report you  
11 are talking about, which is related to those best-interests  
12 evaluations. They have some guidelines related to handling  
13 forensic evaluations. But it's -- I don't think they have any  
14 guidelines on providing, largely, Court education.

15 Q So did you believe that the guidelines did not apply to you  
16 in this case?

17 A Well, you would really have to put those into quite the  
18 Procrustean bed to be able to force those in. But they're  
19 certainly principles that could be relied on there to a degree.  
20 But they're geared towards a different question.

21 Q Well, one of the principles in those guidelines is to report  
22 whether or not your meetings were in person or by Zoom, correct,  
23 or by some other virtual means?

24 A Yeah. I believe there's probably, off my memory, something  
25 in there about that.

1 Q And in your report, you did not report the fact that you only  
2 met the mother and the child by Zoom, correct?

3 A No. I don't believe it's in my letter at all.

4 Q Okay. And that is a fact, right? You only met the mother  
5 and the child, in terms of your evaluation, over video, correct?

6 A Yeah. I did not meet with them in person.

7 Q Okay. And how many times did you meet with them?

8 A I believe I testified to that. I believe it was twice, each,  
9 off the top of my head.

10 Q And I think you said you met with the child, total,  
11 approximately one hour?

12 A Total of an hour, from my recollection, that's correct.

13 Q And how long did you meet with the mother for?

14 A I believe it was a total of four hours.

15 Q Okay.

16 A But between two meetings. But that's just off the top of my  
17 head. It will be close.

18 Q Are you aware of the APA, the American Psychological  
19 Association, guidelines for reporting in forensic settings?

20 A Yeah. And I think they have some for -- some guidelines for  
21 custody evaluations.

22 Q Do you comply with those or follow those guidelines,  
23 typically?

24 A When I'm doing custody evaluations, I try to do those the  
25 best I can.

1 Q In general, do you believe it's important to obtain material  
2 facts and information when performing a forensic evaluation?

3 A Yeah. I think I testified to that. If you are able to do  
4 that. If not, then you're -- it's going to limit your ability to  
5 provide an opinion that's based on anything reliable.

6 Q And we talked before, we used a phrase "data point," right?

7 A You did, yeah.

8 Q Okay.

9 A I like how you used it, so I'm going to go with it.

10 Q Okay. Do you believe it's important, when conducting a  
11 forensic evaluation, to utilize multiple methods of data  
12 collection as part of your process?

13 A Yeah. I mean, your -- I think you're reshaping what I'm  
14 doing here. But I would agree that, under different  
15 circumstances, that would be something that would come into play.

16 Q You don't agree that in any forensic evaluation, it's  
17 important to try and obtain multiple methods of data collection?

18 A I think that it's important, as an aspirational thing, to do  
19 that, but if you can't do that, then you don't have a reliable  
20 basis to make recommendations. And that's just going to be an  
21 inherent reality of that situation. But, yeah, I don't disagree  
22 with the principle at all.

23 Q In general, when evaluating children and parents, can we go  
24 through some methods of data collection that you have employed  
25 historically? And I'll start off, one is, of course,

1 interviewing and meeting with the parent and/or child, correct?

2 A Well, I will make it easy. There's really only five. So you  
3 have got interviews; you've got usually observations; you are  
4 going to have collateral contacts; collateral source of  
5 information; and psychological testing.

6 THE COURT: Slow down.

7 THE WITNESS: Oh, I'm sorry, Your Honor. Are we okay  
8 with that?

9 Okay.

10 A So those are generally what you are going to have available.

11 Q Okay. So I just want to make sure I understand. One is  
12 interviews?

13 A Observations.

14 Q Observation?

15 A Collateral contacts.

16 Q That means people?

17 A People.

18 Q Okay.

19 A Collateral source information. And if you want to,  
20 psychological testing.

21 Q Okay. And collateral sources of information, aside from  
22 contacts, generally means documents, recordings?

23 A WhatsApp, text messages. Like stuff you were presenting in  
24 court, right.

25 Q Right.



1 And then testing?

2 A Yes, in some cases.

3 Q Okay. Why were you not able to do any testing in this case?

4 I withdraw the question.

5 You did not do any testing in this case, correct?

6 A No, I did not do any testing in this case.

7 Q Why did you not do any testing in this case?

8 A I think I had an extremely limited amount of time. I had  
9 very hefty deadlines to meet in this thing, and it just wasn't  
10 practical to be able to do that.

11 It's possible that I could have gave maybe what was given by  
12 the other expert, which is a CVCL, but I just didn't do it. I  
13 was trying to get an interview done and out, based on  
14 observations in the interview alone, and that's just what I did.

15 Q When were you retained in this case?

16 A Oh, we went through this in deposition.

17 I think it was the Friday or so before Thanksgiving week,  
18 off the top of my head.

19 Q So latish November?

20 A Latish November.

21 Q And the date of your report is December 8th, correct?

22 A With a week vacation in there.

23 Q Okay.

24 A So you've got to put that in there. I was gone for a week.

25 Q You are familiar with the MMPI test?

1 A I'm familiar with it, yeah.

2 Q What is the MMPI test?

3 A It's a personality test.

4 Q It's a personality test?

5 A Yes.

6 Q An inventory?

7 A Well, it's in the name, but it's a large personality test. I  
8 believe it covers something like 85 different, you know -- well,  
9 there's multiple versions of it, but it covers usually the  
10 psychopathology realm of personality.

11 Q Have you ever employed this test?

12 A I have.

13 Q Okay. For what purpose?

14 A Usually for developing hypotheses about a particular case.

15 Q Okay. Any specific type of case?

16 A I use them in child custody cases where I am doing a best-  
17 interest analysis.

18 Q What type of hypotheses are you looking to investigate in a  
19 child custody case that would lead you to use the MMPI test?

20 A They usually have to do with parenting functioning and  
21 relational functioning, often.

22 Q Parental functioning and relational functioning, are those  
23 used or assessed as part of a risk assessment to a child in a  
24 custody case?

25 A So you switched on me. Because I think you can only -- the

1 MMPI is going to have some limited ability to do that. You might  
2 be able to understand some things about personality and  
3 orientation, but when you are talking about risk assessments,  
4 those are typically going to look at identifying what the actual  
5 alleged risk is and then trying to understand an individual from  
6 a formulation of risk of future, I guess, events, whether it's  
7 child abuse or domestic violence.

8 Q Okay. So as part of a risk assessment, is an MMPI test  
9 valuable to ascertain whether or not someone's potential  
10 personality disorder may impact on a risk to a child?

11 A It could. It depends on the facts. But it certainly could.

12 Q How long does it take to go through the MMPI test?

13 A They tell you, with a college degree, it should take you an  
14 hour, but my experience is more.

15 Q What's your experience?

16 A My experience is more like an hour and a half for people to  
17 get through the MMPI-2.

18 Q So with the two, two and a half weeks, between the date you  
19 were retained, the date you wrote your report, with a week  
20 vacation in between, you couldn't spare an hour and a half to do  
21 an MMPI test?

22 A Who would I do that to/with?

23 Q No value to do that to the mother?

24 A Well, my preference would be to do that with the individual  
25 who's identified or alleged to be the risk. And so that was at

1 least my understanding going into it. Now, there might be  
2 information later on that changes the framing of that, that might  
3 lend itself to the answer I think you are seeking from me. But I  
4 think it would be, from my understanding at that point in time  
5 even till now, that it would be more appropriate -- and, again, I  
6 don't even know if it would be appropriate with this family  
7 because you have to look at the norm -- but to look at that as it  
8 relates to the individual who is alleged to be the risk, the one  
9 who you should be doing the risk assessment on.

10 THE COURT: Last question, counsel.

11 MR. MIN: Okay.

12 Q Wouldn't the MMPI test have value for the mother to assess  
13 hypotheses as to the mother's, I guess, reaction to a history of  
14 domestic violence?

15 A There can be value in that, absolutely. I would agree with  
16 that.

17 THE COURT: All right. We will stop here.

18 And, sir, you're aware that this case is stopped for the day  
19 and that it will be continued to January 21 and 22.

20 Is there any reason you would not be available to return on  
21 the 21st or 22nd?

22 THE WITNESS: No. I'm here for you, Your Honor, and I  
23 will make sure that that works.

24 THE COURT: Okay. Thank you. You may step down.

25 Counsel, before we break, counsel has inquired as to the

1 status of Dr. -- or Mr. Favaro's ability to testify.

2 The Court is going to permit him to testify as to true  
3 rebuttal testimony. True rebuttal in the sense of what your  
4 expert is testifying about and nothing beyond.

5 I still want copies of the reports that have been provided,  
6 and the agreements of counsel, in terms of what has been redacted  
7 and what's not been redacted, so that I have clarity as you are  
8 going through your examination.

9 Counsel, you are still free to interpose an objection if you  
10 believe the examination is going beyond the scope of true  
11 rebuttal testimony. But beyond that, that will be the  
12 limitation.

13 If there's nothing else to take up, we will be in recess.

14 MR. MIN: Yes, Your Honor. Just one. I understand we  
15 are coming back January 21st. Is Your Honor going to admit the  
16 reports of Dr. Day and Dr. Favaro with that caveat and  
17 understanding?

18 THE COURT: Well, as long as you understand, counsel,  
19 that even though you give me or I admit the report, it's only the  
20 portion of the report that fits within the confines of rebuttal  
21 testimony.

22 MR. MIN: Understood.

23 THE COURT: Okay?

24 MR. MIN: Yes, Your Honor, I understand.

25 You also excluded the report of Dr. Day, and I'm not entirely

1 sure if that needs to be addressed. Again, she's testifying  
2 about methodology, not about her personal observations or  
3 evaluations of the child.

4 I will note she had to leave because she has some great  
5 family news coming soon, so she had to leave early today, and she  
6 informed me that she would only be available by Zoom on the 21st  
7 and 22nd. I believe by the Court's latest order about Zoom  
8 testimony, that shouldn't be an issue, but I just wanted to let  
9 the Court be aware of that.

10 THE COURT: Okay. That's fine.

11 All right. We will be in recess. I will see you all on the  
12 21st.

13 THE CLERK: Please rise.

14 THE COURT: And one last thing. Counsel, in the  
15 interest of minimizing the volume of motions that have been  
16 recently filed, if you believe that there's a justification or  
17 basis for another motion, I'm going to direct that you not file  
18 another motion, that you contact the Court's deputy, and that you  
19 provide this Court a very brief, written, joint statement of what  
20 the issue is, and I will take the matter up by way of a telephone  
21 conversation. That will expedite resolution and minimizes the  
22 imposition on staff and this Court. Is that understood?

23 MS. SEIPEL: Yes, Your Honor.

24 MS. SKINNER: Yes, Your Honor.

25 MR. MIN: Understood, Your Honor.

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THE COURT: We will be in recess.

(Adjourned.)

C E R T I F I C A T E

I, Nickoline M. Drury, RMR, CRR, Court Reporter for the  
United States District Court in the Western District of  
Washington at Seattle, do certify that the foregoing is a correct  
transcript, to the best of my ability, from the record of  
proceedings in the above-entitled matter.

/s/ Nickoline Drury

Nickoline Drury